UNITED STATES Coast Pilot®

6

Great Lakes: Lakes Ontario, Erie, Huron, Michigan, Superior and St. Lawrence River

2018 (48th) Edition

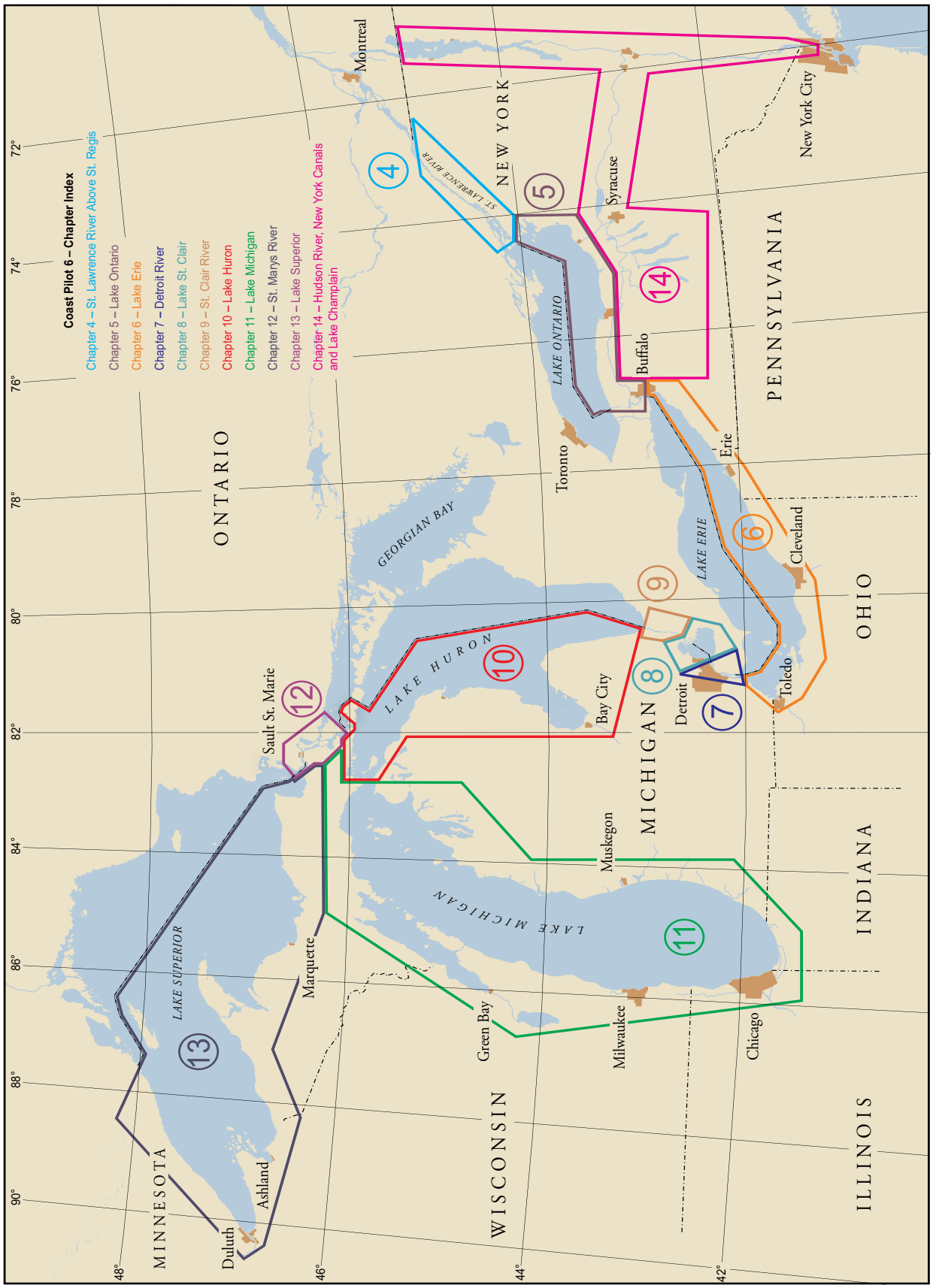
This edition cancels the 47th Edition and includes all previously published corrections.

Weekly updates to this edition are available at
nauticalcharts.noaa.gov/publications/coast-pilot/index.html
They are also published in the National Geospatial-Intelligence Agency (NGA) U.S. Notice to Mariners.

U.S. Department of Commerce
Wilbur L. Ross, Jr., Secretary of Commerce

National Oceanic and Atmospheric Administration
RDML Timothy Gallaudet, Ph.D., USN Ret., Assistant Secretary of Commerce for Oceans and Atmosphere and Acting Under Secretary of Commerce for Oceans and Atmosphere

National Ocean Service
Nicole R. LeBoeuf, Deputy Assistant Administrator for Ocean Services and Coastal Zone Management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Preface

The United States Coast Pilot is published by the National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), pursuant to the Act of 6 August 1947 (33 U.S.C. 883a and b), and the Act of 22 October 1968 (44 U.S.C. 1310).

The Coast Pilot supplements the navigational information shown on NOAA nautical charts. The Coast Pilot is continually updated and maintained from inspections conducted by NOAA survey vessels and field parties, corrections published in Notices to Mariners, information from other Federal agencies, State and local governments, maritime and pilots' associations, port authorities, and concerned mariners.

NOAA's Office of Coast Survey encourages public feedback regarding its suite of nautical charting products and services through the Nautical Inquiry/Discrepancy Reporting System. This system allows comments, inquiries and chart discrepancies to be submitted directly to NOAA's nautical charting program. Inquiries are typically acknowledged by email within one day, and ninety percent are answered or resolved within five days.

General comments or inquiries can be made at *ocsdata.ncd.noaa.gov/idrs/inquiry.aspx*.
Nautical chart or Coast Pilot discrepancies can be reported at
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Coast Survey also maintains a toll free phone line for public comments or inquiries.
Customers may contact the charting program by telephone on weekdays from 8:00 a.m. to 4:00 p.m. (Eastern Time) at 888–990–6622.

Update your Coast Pilot

Check for weekly critical updates for this edition at
nauticalcharts.noaa.gov/publications/coast-pilot/index.html
(See **33 CFR 164.33 Charts and Publications**, chapter 2, for regulations.)

You may print the specifically affected paragraphs to revise this book, or download an updated .pdf of the entire volume.

A *Weekly Record of Updates* is provided for your convenience directly preceding the index.

Navigation Regulations

(1) This chapter contains extracts from **Code of Federal Regulations (CFR)** that are of importance to mariners in the area covered by this Coast Pilot. Sections of little value to the mariner are sometimes omitted. Omitted sections are signified by the following [...]

(2) Extracts from the following titles are contained in this chapter.

(2.001)

Title 15: Commerce and Foreign Trade
- Part 922—National Marine Sanctuary Program Regulations

Title 21: Food and Drugs
- Part 1250—Interstate Conveyance Sanitation

Title 33: Navigation and Navigable Waters
- Part 26—Vessel Bridge-to-Bridge Radiotelephone Regulations
- Part 81—72 COLREGS: Implementing Rules
- Part 82—72 COLREGS: Interpretive Rules
- Part 88—Annex V: Pilot Rules
- Part 89—Inland Navigation Rules: Implementing Rules
- Part 90—Inland Rules: Interpretive Rules
- Part 110—Anchorage Regulations
- Part 117—Drawbridge Operation Regulations
- Part 151—Vessels Carrying Oil, Noxious Liquid Substances, Garbage, Municipal or Commercial Waste, and Ballast Water
- Part 160—Ports and Waterways Safety-General
- Part 161—Vessel Traffic Management
- Part 162—Inland Waterways Navigation Regulations
- Part 164—Navigation Safety Regulations (in part)
- Part 165—Regulated Navigation Areas and Limited Access Areas
- Part 207—Navigation Regulations
- Part 334—Danger Zones and Restricted Area Regulations
- Part 401—Seaway Regulations and Rules (source identified

Title 36: Parks, Forests and Public Property
- Part 7—Special Regulations, Areas of the National Park System

Title 40: Protection of Environment
- Part 140—Marine Sanitation Device Standard

Title 46: Shipping
- Part 401—Great Lakes Pilotage Regulations

Title 47: Telecommunication
- Part 80—Stations in the Maritime Service

(2.002) These regulations can only be amended by the enforcing agency or other authority cited in the regulations. Accordingly, requests for changes to these regulations should be directed to the appropriate agency for action. In those regulations where the enforcing agency is not cited or is unclear, recommendations for changes should be directed to the following Federal agencies for action:

(2.003) **National Oceanic and Atmospheric Administration**—15 CFR 922

(2.004) **Food and Drug Administration**—21 CFR 1250

(2.005) **United States Coast Guard**—33 CFR 26, 81, 82, 88, 89, 90, 110, 117, 151, 160, 161, 162, 164 and 165; 46 CFR 401

(2.006) **United States Army Corps of Engineers**—33 CFR 207 and 334

(2.007) **Saint Lawrence Seaway Development Corporation**—33 CFR 401

(2.008) **National Park Service**—36 CFR 7

(2.009) **Environmental Protection Agency**—40 CFR 140

(2.010) **Federal Communications Commission**—47 CFR 80

(3) <3-29 Deleted>

(30) <30-37 Deleted>

(38)

TITLE 15–COMMERCE AND FOREIGN TRADE

(39)

Part 922–National Marine Sanctuary Program Regulations

(40)

Subpart A–General

(41)

§922.1 Applicability of regulations.

(42) Unless noted otherwise, the regulations in Subparts A, D and E apply to all thirteen National Marine Sanctuaries for which site-specific regulations appear in Subparts F through R, respectively. Subparts B and C apply to the site evaluation list and to the designation of future Sanctuaries.

(43)

§922.2 Mission, goals, and special policies.

(44) (a) In accordance with the standards set forth in title III of the Marine Protection, Research, and Sanctuaries Act of 1972, as amended, also known as the National Marine Sanctuaries Act (Act) the mission of the National Marine Sanctuary program (Program) is to identify, designate and manage areas of the marine environment of special national, and in some cases international, significance due to their conservation, recreational, ecological, historical, research, educational, or aesthetic qualities.

(45) (b) The goals of the Program are to carry out the mission to:

(46) (1) Identify and designate as National Marine Sanctuaries areas of the marine environment which are of special national significance;

(47) (2) Provide authority for comprehensive and coordinated conservation and management of these marine areas, and activities affecting them, in a manner which complements existing regulatory authorities;

(48) (3) Support, promote, and coordinate scientific research on, and monitoring of, the resources of these marine areas, especially long-term monitoring and research of these areas;

(49) (4) Enhance public awareness, understanding, appreciation, and wise use of the marine environment;

(50) (5) Facilitate to the extent compatible with the primary objective of resource protection, all public and private uses of the resources of these marine areas not prohibited pursuant to other authorities;

(51) (6) Develop and implement coordinated plans for the protection and management of these areas with appropriate Federal agencies, State and local governments, Native American tribes and organizations, international organizations, and other public and private interests concerned with the continuing health and resilience of these marine areas;

(52) (7) Create models of, and incentives for, ways to conserve and manage these areas;

(53) (8) Cooperate with global programs encouraging conservation of marine resources; and

(54) (9) Maintain, restore, and enhance living resources by providing places for species that depend upon these marine areas to survive and propagate.

(55) (c) To the extent consistent with the policies set forth in the Act, in carrying out the Program's mission and goals:

(56) (1) Particular attention will be given to the establishment and management of marine areas as National Marine Sanctuaries for the protection of the area's natural resource and ecosystem values; particularly for ecologically or economically important or threatened species or species assemblages, and for offshore areas where there are no existing special area protection mechanisms;

(57) (2) The size of a National Marine Sanctuary, while highly dependent on the nature of the site's resources, will be no larger than necessary to ensure effective management;

(58) (d) Management efforts will be coordinated to the extent practicable with other countries managing marine protected areas;

(59) (e) Program regulations, policies, standards, guidelines, and procedures under the Act concerning the identification, evaluation, registration, and treatment of historical resources shall be consistent, to the extent practicable, with the declared national policy for the protection and preservation of these resources as stated in the National Historic Preservation Act of 1966, 16 U.S.C. 470 *et seq*., the Archeological and Historical Preservation Act of 1974, 16 U.S.C. 469 *et seq*., and the Archeological Resources Protection Act of 1979 (ARPA), 16 U.S.C. 470aa *et seq*. The same degree of regulatory protection and preservation planning policy extended to historical resources on land shall be extended, to the extent practicable, to historical resources in the marine environment within the boundaries of designated National Marine Sanctuaries. The management of historical resources under the authority of the Act shall be consistent, to the extent practicable, with the Federal archeological program by consulting the Uniform Regulations, ARPA (43 CFR part 7) and other relevant Federal regulations. The Secretary of the Interior's Standards and Guidelines for Archeology may also be consulted for guidance. These guidelines are available from the Office of Ocean and Coastal Management at (301) 713–3125.

(60)

§922.3 Definitions.

(61) *Act* means title III of the Marine Protection, Research, and Sanctuaries Act of 1972, as amended, 16 U.S.C. 1431 *et seq*., also known as the National Marine Sanctuaries Act.

(62) *Assistant Administrator* means the Assistant Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration (NOAA), or designee.

(63) *Benthic community* means the assemblage of organisms, substrate, and structural formations found at or near the bottom that is periodically or permanently covered by water.

(64) *Commercial fishing* means any activity that results in the sale or trade for intended profit of fish, shellfish, algae, or corals.

(65) *Conventional hook and line gear* means any fishing apparatus operated aboard a vessel and composed of a single line terminated by a combination of sinkers and hooks or lures and spooled upon a reel that may be hand or electrically operated, hand-held or mounted. This term does not include bottom longlines.

(66) *Cultural resources* means any historical or cultural feature, including archaeological sites, historic structures, shipwrecks, and artifacts.

(67) *Director* means, except where otherwise specified, the Director of the Office of Ocean and Coastal Resource Management, NOAA, or designee.

(68) *Exclusive economic zone* means the exclusive economic zone as defined in the Magnuson Fishery Conservation and Management Act, 16 U.S. 1801 *et seq*.

(69) *Fish wastes* means waste materials resulting from commercial fish processing operations.

(70) *Historical resource* means any resource possessing historical, cultural, archaeological or paleontological significance, including sites, structures, districts, and objects significantly associated with or representative of earlier people, cultures, maritime heritage, and human activities and events. Historical resources include "submerged cultural resources", and also include

"historical properties", as defined in the National Historic Preservation Act, as amended.

(71) *Indian tribe* means any American Indian tribe, band, group, or community recognized as such by the Secretary of the Interior.

(72) *Injure* means to change adversely, either in the long or short term, a chemical, biological or physical attribute of, or the viability of. This includes, but is not limited to, to cause the loss of or destroy.

(73) *Inventory* means a list of nominated areas selected by the Director as qualifying for future consideration of designation as a national marine sanctuary.

(74) *Lightering* means at-sea transfer of petroleum-based products, materials or other matter from vessel to vessel.

(75) *Marine* means those areas of coastal and ocean waters, the Great Lakes and their connecting waters, and submerged lands over which the United States exercises jurisdiction, including the exclusive economic zone, consistent with international law.

(76) *Mineral* means clay, stone, sand, gravel, metalliferous ore, non-metalliferous ore, or any other solid material or other matter of commercial value.

(77) *National historic landmark* means a district, site, building, structure or object designated as such by the Secretary of the Interior under the National Historic Landmarks Program (36 CFR part 65).

(78) *National Marine Sanctuary* means an area of the marine environment of special national significance due to its resource or human-use values, which is designated as such to ensure its conservation and management.

(79) *Person* means any private individual, partnership, corporation or other entity; or any officer, employee, agent, department, agency or instrumentality of the Federal Government, of any State or local unit of government, or of any foreign government.

(80) *Regional Fishery Management Council* means any fishery council established under section 302 of the Magnuson Fishery Conservation and Management Act, 16 U.S.C. 1801 *et seq*.

(81) *Sanctuary quality* means any of those ambient conditions, physical-chemical characteristics and natural processes, the maintenance of which is essential to the ecological health of the Sanctuary, including, but not limited to, water quality, sediment quality, and air quality.

(82) *Sanctuary resource* means any living or non-living resource of a National Marine Sanctuary that contributes to the conservation, recreational, ecological, historical, research, educational, or aesthetic value of the Sanctuary, including, but not limited to, the substratum of the area of the Sanctuary, other submerged features and the surrounding seabed, carbonate rock, corals and other bottom formations, coralline algae and other marine plants and algae, marine invertebrates, brine-seep biota, phytoplankton, zooplankton, fish, seabirds, sea turtles and other marine reptiles, marine mammals and historical resources. For Thunder Bay National Marine Sanctuary and Underwater Preserve, Sanctuary resource means an underwater cultural resource as defined at §922.191.

(83) *Secretary* means the Secretary of the United States Department of Commerce, or designee.

(84) *Shunt* means to discharge expended drilling cuttings and fluids near the ocean seafloor.

(85) *State* means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, the United States Virgin Islands, Guam, and any other commonwealth, territory, or possession of the United States.

(86) *Subsistence use* means the customary and traditional use by rural residents of areas near or in the marine environment for direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation; for the making and selling of handicraft articles; and for barter, if for food or non-edible items other than money, if the exchange is of a limited and non-commercial nature.

(87) *Take or taking* means:

(88) (1) For any marine mammal, sea turtle, or seabird listed as either endangered or threatened pursuant to the Endangered Species Act, to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect or injure, or to attempt to engage in any such conduct;

(89) (2) For any other marine mammal, sea turtle, or seabird, to harass, hunt, capture, kill, collect or injure, or to attempt to engage in any such conduct. For the purpose of both (1) and (2) of this definition, this includes, but is not limited to, to collect any dead or injured marine mammal, sea turtle or seabird, or any part thereof; to restrain or detain any marine mammal, sea turtle or seabird, or any part thereof, no matter how temporarily; to tag any sea turtle, marine mammal or seabird; to operate a vessel or aircraft or to do any other act that results in the disturbance or molestation of any marine mammal, sea turtle or seabird.

(90) *Tropical fish* means fish or minimal sport and food value, usually brightly colored, often used for aquaria purposes and which lives in a direct relationship with live bottom communities.

(91) *Vessel* means a watercraft of any description capable of being used as a means of transportation in/on the waters of the Sanctuary.

(92)

§922.4 Effect of National Marine Sanctuary designation.

(93) The designation of a National Marine Sanctuary, and the regulations implementing it, are binding on any person subject to the jurisdiction of the United States. Designation does not constitute any claim to territorial jurisdiction on the part of the United States for designated sites beyond the U.S. territorial sea, and the regulations implementing the designation shall be applied in accordance with generally recognized principles of international law, and in accordance with treaties, conventions, and other agreements to which the United States is a party. No regulation shall apply to a

person who is not a citizen, national, or resident alien of the United States, unless in accordance with:

(94) (a) Generally recognized principles of international law;

(95) (b) An agreement between the United States and the foreign state of which the person is a citizen; or

(96) (c) An agreement between the United States and the flag state of the foreign vessel, if the person is a crew member of the vessel.

(97)

Subpart D–Management Plan Development and implementation

(98)

§922.30 General.

(99) (a) The Secretary shall implement each management plan, and applicable regulations, including carrying out surveillance and enforcement activities and conducting such research, monitoring, evaluation, and education programs as are necessary and reasonable to carry out the purposes and policies of the Act.

(100) (b) Consistent with Sanctuary management plans, the Secretary shall develop and implement site-specific contingency and emergency-response plans designed to protect Sanctuary resources. The plans shall contain alert procedures and actions to be taken in the event of an emergency such as a shipwreck or an oil spill.

(101)

§922.31 Promotion and coordination of Sanctuary use.

(102) The Secretary shall take such action as is necessary and reasonable to promote and coordinate the use of National Marine Sanctuaries for research, monitoring, and education purposes. Such action may include consulting with Federal agencies, or other persons to promote use of one or more Sanctuaries for research, monitoring and education, including coordination with the National Estuarine Research Reserve System.

(103)

Subpart E–Regulations of General Applicability

(104)

§922.40 Purpose.

(105) The purpose of the regulations in this Subpart and in Subparts F through R is to implement the designations of the thirteen National Marine Sanctuaries for which site specific regulations appear in Subparts F through R, respectively, by regulating activities affecting them, consistent with their respective terms of designation in order to protect, preserve and manage and thereby ensure the health, integrity and continued availability of the conservation, ecological, recreational, research, educational, historical and aesthetic resources and qualities of these areas. Additional purposes of the regulations implementing the designation of the Florida Keys and Hawaiian Islands Humpback Whale National Marine Sanctuaries are found at §§922.160, and 922.180, respectively.

(106)

§922.41 Boundaries.

(107) The boundary for each of the thirteen National Marine Sanctuaries covered by this part is described in Subparts F through R, respectively.

(108)

§922.42 Allowed Activities.

(109) All activities (e.g., fishing, boating, diving, research, education) may be conducted unless prohibited or otherwise regulated in Subparts F through R, subject to any emergency regulations promulgated pursuant to §§922.44, 922.111(c), 922.165, 922.186, or 922.196, subject to all prohibitions, regulations, restrictions, and conditions validly imposed by any Federal, State, or local authority of competent jurisdiction, including Federal and State fishery management authorities, and subject to the provisions of section 312 of the National Marine Sanctuaries Act (NMSA), (16 U.S.C. 1431 *et seq*.). The Assistant Administrator may only directly regulate fishing activities pursuant to the procedure set forth in section 304(a)(5) of the NMSA.

(110)

§922.43 Prohibited or otherwise regulated activities.

(111) Subparts F through R set forth site-specific regulations applicable to the activities specified therein.

(112)

§922.44 Emergency Regulations.

(113) Where necessary to prevent or minimize the destruction of, loss of, or injury to a Sanctuary resource or quality, or minimize the imminent risk of such destruction, loss, or injury, any and all such activities are subject to immediate temporary regulation, including prohibition. The provisions of this section do not apply to the Cordell Bank, Florida Keys, Hawaiian Islands Humpback Whale, and Thunder Bay National Marine Sanctuaries. See §§922.111(c), 922.165, 922.186, and 922.196, respectively, for the authority to issue emergency regulations with respect to those sanctuaries.

(114)

§922.45 Penalties.

(115) (a) Each violation of the NMSA or FKNMSPA, any regulation in this part, or any permit issued pursuant thereto, is subject to a civil penalty of not more than $100,000. Each day of a continuing violation constitutes a separate violation.

(116) (b) Regulations setting forth the procedures governing administrative proceedings for assessment of civil penalties, permit sanctions, and denials for enforcement reasons, issuance and use of written warnings, and release or forfeiture of seized property appear at 15 CFR part 904.

(117)

§922.46 Response costs and damages.

(118) Under section 312 of the Act, any person who destroys, causes the loss of, or injures any Sanctuary resource is liable to the United States for response costs and damages resulting from such destruction, loss or injury, and any vessel used to destroy, cause the loss of, or injure any Sanctuary resource is liable *in rem* to the United States for response costs and damages resulting from such destruction, loss or injury.

(119)

§922.47 Pre-existing authorizations or rights and certifications of pre-existing authorizations or rights.

(120) (a) Leases, permits, licenses, or rights of subsistence use or access in existence on the date of designation of any National Marine Sanctuary shall not be terminated by the Director. The Director may, however, regulate the exercise of such leases, permits, licenses, or rights consistent with the purposes for which the Sanctuary was designated.

(121) (b) The prohibitions listed in Subparts F through P, and Subpart R do not apply to any activity authorized by a valid lease, permit, license, approval or other authorization in existence on the effective date of Sanctuary designation, or in the case of the Florida Keys National Marine Sanctuary the effective date of the regulations in Subpart P, and issued by any Federal, State or local authority of competent jurisdiction, or by any valid right of subsistence use or access in existence on the effective date of Sanctuary designation, or in the case of the Florida Keys National Marine Sanctuary the effective date of the regulations in Subpart P, provided that the holder of such authorization or right complies with certification procedures and criteria promulgated at the time of Sanctuary designation, or in the case of the Florida Keys National Marine Sanctuary the effective date of the regulations in Subpart P, and with any terms and conditions on the exercise of such authorization or right imposed by the Director as a condition of certification as the Director deems necessary to achieve the purposes for which the Sanctuary was designated.

(122)

§922.48 National Marine Sanctuary permits– application procedures and issuance criteria.

(123) (a) A person may conduct an activity prohibited by Subparts F through O, if conducted in accordance with the scope, purpose, terms and conditions of a permit issued under this section and Subparts F through O, as appropriate. For the Florida Keys National Marine Sanctuary, a person may conduct an activity prohibited by Subpart P if conducted in accordance with the scope, purpose, terms and conditions of a permit issued under §922.166. For the Thunder Bay National Marine Sanctuary and Underwater Preserve, a person may conduct an activity prohibited by Subpart R in accordance with the scope, purpose, terms and conditions of a permit issued under §922.195.

(124) (b) Applications for permits to conduct activities otherwise prohibited by Subparts F through O should be addressed to the Director and sent to the address specified in Subparts F through O, or Subpart R, as appropriate. An application must include:

(125) (1) A detailed description of the proposed activity including a timetable for completion:

(126) (2) The equipment, personnel and methodology to be employed;

(127) (3) The qualifications and experience of all personnel;

(128) (4) The potential effects of the activity, if any, on Sanctuary resources and qualities; and

(129) (5) Copies of all other required licenses, permits, approvals or other authorizations.

(130) (c) Upon receipt of an application, the Director may request such additional information from the applicant as he or she deems necessary to act on the application and may seek the views of any persons or entity, within or outside the Federal government, and may hold a public hearing, as deemed appropriate.

(131) (d) The Director, at his or her discretion, may issue a permit, subject to such terms and conditions as he or she deems appropriate, to conduct a prohibited activity, in accordance with the criteria found in Subparts F through O, or Subpart R, as appropriate. The Director shall further impose, at a minimum, the conditions set forth in the relevant subpart.

(132) (e) A permit granted pursuant to this section is nontransferable.

(133) (f) The Director may amend, suspend, or revoke a permit issued pursuant to this section for good cause. The Director may deny a permit application pursuant to this section, in whole or in part, if it is determined that the permittee or applicant has acted in violation of the terms and conditions of a permit or of the regulations set forth in this section or Subparts F through O, Subpart R or for other good cause. Any such action shall be communicated in writing to the permittee or applicant by certified mail and shall set forth the reason(s) for the action taken. Procedures governing permit sanctions and denials for enforcement reasons are set forth in subpart D of 15 CFR part 904.

(134)

§922.49 Notification and review of applications for leases, licenses, permits, approvals or other authorizations to conduct a prohibited activity.

(135) (a) A person may conduct an activity prohibited by Subparts L through P, or Subpart R, if such activity is specifically authorized by any valid Federal, State, or local lease, permit, license, approval, or other authorization issued after the effective date of Sanctuary designation, or in the case of the Florida Keys National Marine Sanctuary after the effective date of the regulations in Subpart P provided that:

(136) (1) The applicant notifies the Director, in writing, of the application for such authorization (and of any application for an amendment, renewal, or extension of such authorization) within fifteen (15) days of the date of filing of the application or the effective date of Sanctuary designation, or in the case of the Florida Keys National Marine Sanctuary the effective date of the regulations in Subpart P of this part, whichever is later;

(137) (2) The applicant complies with the other provisions of this §922.49;

(138) (3) The Director notifies the applicant and authorizing agency that he or she does not object to issuance of the authorization (or amendment, renewal or extension); and

(139) (4) The applicant complies with any terms and conditions the Director deems reasonably necessary to protect Sanctuary resources and qualities.

(140) (b) Any potential applicant for an authorization described in Paragraph (a) of this section may request the Director to issue a finding as to whether the activity for which an application is intended to be made is prohibited by Subparts L through P, or Subpart R, as appropriate.

(141) (c) Notification of filings of applications should be sent to the Director, Office of Ocean and Coastal Resource Management at the address specified in Subparts L through P, or Subpart R as appropriate. A copy of the application must accompany the notification.

(142) (d) The Director may request additional information from the applicant as he or she deems reasonably necessary to determine whether to object to issuance of an authorization described in Paragraph (a) of this section, or what terms and conditions are reasonably necessary to protect Sanctuary resources and qualities. The information requested must be received by the Director within 45 days of the postmark date of the request. The Director may seek the views of any persons on the application.

(143) (e) The Director shall notify, in writing, the agency to which application has been made of his or her pending review of the application and possible objection to issuance. Upon completion of review of the application and information received with respect thereto, the Director shall notify both the agency and applicant, in writing, whether he or she has an objection to issuance and what terms and conditions he or she deems reasonably necessary to protect Sanctuary resources and qualities, and reasons therefor.

(144) (f) The director may amend the terms and conditions deemed reasonably necessary to protect Sanctuary resources and qualities whenever additional information becomes available justifying such an amendment.

(145) (g) Any time limit prescribed in or established under this §922.49 may be extended by the Director for good cause.

(146) (h) The applicant may appeal any objection by or terms or conditions imposed by the Director, to the Assistant Administrator in accordance with the procedures set forth in §922.50.

(147)

§922.50 Appeals of administrative action.

(148) (a)(1) Except for permit actions taken for enforcement reasons (see subpart D of 15 CFR part 904 for applicable procedures), an applicant for, or a holder of, a National Marine Sanctuary permit; an applicant for, or a holder of, a Special Use permit pursuant to section 310 of the Act; a person requesting certification of an existing lease, permit, license or right of subsistence use or access under §922.47; or, for those Sanctuaries described in Subparts L through P and Subpart R, an applicant for a lease, permit, license or other authorization issued by any Federal, State, or local authority of competent jurisdiction (hereinafter appellant) may appeal to the Assistant Administrator:

(149) (i) The granting, denial, conditioning, amendment, suspension or revocation by the Director of a National Marine Sanctuary or Special Use permit;

(150) (ii) The conditioning, amendment, suspension or revocation of a certification under §922.47; or

(151) (iii) For those Sanctuaries described in Subparts L through P and Subpart R, the objection to issuance of the imposition of terms and conditions on a lease, permit, license or other authorization issued by any Federal, State, or local authority of competent jurisdiction.

(152) (2) For those National Marine Sanctuaries described in subparts F through K, any interested person may also appeal the same actions described in §922.50(a)(1)(i) and (ii). For appeals arising from actions taken with respect to these National Marine Sanctuaries, the term "appellant" includes any such interested persons.

(153) (b) An appeal under Paragraph (a) of this section must be in writing, state the action(s) by the Director appealed and the reason(s) for the appeal, and be received within 30 days of receipt of notice of the action by the Director. Appeals should be addressed to the Assistant Administrator for Ocean Services and Coastal Zone Management, NOAA 1305 East-West Highway, 13th Floor, Silver Spring, MD 20910.

(154) (c)(1) The Assistant Administrator may request the appellant to submit such information as the Assistant Administrator deems necessary in order for him or her to decide the appeal. The information requested must be received by the Assistant Administrator within 45 days of the postmark date of the request. The Assistant Administrator may seek the views of any other persons. For the Monitor National Marine Sanctuary, if the appellant has requested a hearing, the Assistant Administrator shall grant an informal hearing. For all other National Marine Sanctuaries, the Assistant Administrator may determine whether to hold an informal hearing on the appeal. If the Assistant Administrator determines that an informal hearing should be held, the Assistant Administrator may designate an officer before whom the hearing shall be held.

(155) (2) The hearing officer shall give notice in the **Federal Register** of the time, place and subject matter of the hearing. The appellant and the Director may appear personally or by counsel at that hearing and submit

such material and present such arguments as deemed appropriate by the hearing officer. Within 60 days after the record for the hearing closes, the hearing officer shall recommend a decision in writing to the Assistant Administrator.

(156) (d) The Assistant Administrator shall decide the appeal using the same regulatory criteria as for the initial decision and shall base the appeal decision on the record before the Director and any information submitted regarding the appeal, and, if a hearing has been held, on the record before the hearing officer and the hearing officer's recommended decision. The Assistant Administrator shall notify the appellant of the final decision and the reason(s) therefore in writing. The Assistant Administrator's decision shall constitute final agency action for the purpose of the Administrative Procedure Act.

(157) (e) Any time limit prescribed in or established under this section other than the 30-day limit for filing an appeal may be extended by the Assistant Administrator or hearing office for good cause.

(158)

Subpart R–Thunder Bay National Marine Sanctuary and Underwater Preserve

(159)

§922.190 Boundary.

(160) (a) Except as provided in paragraph (b) of this section, the Thunder Bay National Marine Sanctuary and Underwater Preserve (Sanctuary) consists of an area of approximately 4,300 square miles of waters of Lake Huron and the submerged lands thereunder, over, around, and under the underwater cultural resources in Thunder Bay. The eastern boundary of the sanctuary begins at the intersection of the southern Alcona County boundary and the U.S./Canada international boundary (Point 1). The eastern boundary of the sanctuary approximates the international boundary passing through Points 2-5. The boundary continues west through Point 6 and then back to the northeast until it intersects with the 45.83333°N line of latitude at Point 7. The northern boundary follows the line of latitude 45.83333°N westward until it intersects the -84.33333°W line of longitude at Point 8. The western boundary extends south along the -84.33333°W line of longitude towards Point 9 until it intersects the ordinary high water mark at Cordwood Point. From there, the western boundary follows the ordinary high water mark as defined by Part 325, Great Lakes Submerged Lands, of P.A. 451 (1994), as amended, cutting across the mouths of rivers and streams until it intersects the line formed between Point 10 and Point 11 south of Rogers City, MI. From there the boundary moves offshore through Points 11-15 in order until it intersects the ordinary high water mark along the line formed between Point 15 and Point 16. At this intersection the boundary continues to follow the ordinary high water mark south until it intersects with the line formed between Point 17 and Point 18 near Stoneport Harbor Light in Presque Isle, MI.

(161) From there the boundary moves offshore through Points 18-20 in order until it intersects the ordinary high water mark along the line formed between Point 20 and Point 21. At this intersection the boundary continues to follow the ordinary high water mark south until it intersects the line formed between Point 22 and Point 23 near the Lafarge dock in Alpena, MI. At this intersection the boundary moves towards Point 23 until it intersects the ordinary high water mark. At this intersection the boundary follows the ordinary high water mark south until it intersects the southern Alcona County boundary along the lined formed between Point 24 and Point 25 in Greenbush, MI. Finally, at this intersection the boundary moves eastward and offshore until it reaches Point 25.

(162) (b) Excluded from the Sanctuary boundary are the following ports:

(163) (1) Rogers City;

(164) (2) Presque Isle; and

(165) (3) Alpena.

(166) (c) The coordinates of each boundary area appear in appendix A of this subpart.

(167)

§922.191 Definitions.

(168) (a) The following terms are defined for purposes of Subpart R:

(169) *Minor project* means any project listed in Appendix B to this Subpart.

(170) *Programmatic Agreement* means the agreement among NOAA, the Federal Advisory Council on Historic Preservation, and the State of Michigan, developed pursuant to the National Marine Sanctuaries Act (NMSA), 16 U.S.C. 1431 *et seq*. and section 106 of the National Historic Preservation Act of 1966 as amended, 16 U.S.C. 470 *et seq*., which, in part, sets forth the procedures for review and approval of State Permits that authorize activities prohibited by the Sanctuary regulations.

(171) *State Archaeologist* means the State Archaeologist, Michigan Historical Center, Michigan Department of State.

(172) *State Permit* means any lease, permit, license, approval, or other authorization issued by the State of Michigan for the conduct of activities or projects within the Thunder Bay National Marine Sanctuary and Underwater Preserve that are prohibited by the regulations at §922.193.

(173) *Traditional fishing* means those commercial, recreational, and subsistence fishing activities that were customarily conducted within the Sanctuary prior to its designation or expansion, as identified in the relevant Final Environmental Impact Statement and Management Plan for this Sanctuary. Traditional fishing includes tribal fishing rights as provided for in the 1836 Treaty of Washington and subsequent court decisions related to the Treaty.

(174) *Treaty fishing rights* means those rights reserved in the 1836 Treaty of Washington and in subsequent court decisions related to the Treaty.

(175) *Underwater cultural resource* means:

(176) (1) Any sunken watercraft, including a ship, boat, canoe, skiff, raft, or barge; the rigging, gear, fittings, trappings, and equipment of any sunken watercraft; the personal property of the officers, crew, and passengers of any sunken watercraft; and the cargo of any sunken watercraft, that sank prior to the effective date of Sanctuary designation; and

(177) (2) Any of the above that sinks on or after the date of Sanctuary designation determined to be an underwater cultural resource by the Director pursuant to §922.198. Underwater cultural resource also means any historical remnant of docks or piers or associated material, or materials resulting from activities of historic and prehistoric Native Americans.

(178) (b) Other terms appearing in the regulations are defined at 15 CFR part 922 subpart A, and/or in the National Marine Sanctuaries Act, as amended, 16 U.S.C. 1431 *et seq*.

(179)

§922.192 Joint Management Committee.

(180) (a) A state/federal Joint Management Committee shall be established to oversee and engage in decision-making authority for the Thunder Bay National Marine Sanctuary and Underwater Preserve.

(181) (b) The Joint Management Committee shall be comprised of one Federal employee named by the NOAA Administrator and one state employee named by the Governor of Michigan. The Federal employee cannot be the sanctuary manager (the individual who exercises day-to-day management over the Sanctuary) and must have a civil service grade higher than that of the sanctuary manager.

(182) (c) The Joint Management Committee shall:

(183) (1) Develop a position description for, recruit prospective candidates for the position of, interview candidates for the position of, and take part in the annual performance evaluation of, the sanctuary manager;

(184) (2) Approve revisions to the Management Plan;

(185) (3) Approve annual work plans;

(186) (4) Approve, on an annual basis, the expenditure of allocated state and federal funds and other sources of revenue for the Thunder Bay National Marine Sanctuary and Underwater Preserve, in accordance with the Management Plan and the annual work plans; and

(187) (5) Make decisions on other key issues related to management of the Thunder Bay National Marine Sanctuary and Underwater Preserve.

(188) (d) The Joint Management Committee shall meet as agreed to by the members but not less than once annually.

(189) (e) If the Joint Management Committee is unable to reach agreement on an issue, the members shall follow the "Consultation and Conflict Resolution" procedures set forth in the Interlocal Agreement between NOAA and the State of Michigan.

(190) (f) The Joint Management Committee may invite affected public parties to participate in selected aspects of Sanctuary management as:

(191) (1) Parties to the Interlocal Agreement pursuant to the Michigan Urban Cooperation Act of 1967, MCL 124.501 *et seq*.; and/or

(192) (2) Pursuant to the NMSA.

(193)

§922.193 Prohibited or otherwise regulated activities.

(194) (a) Except as specified in paragraphs (b) through (d) of this section, the following activities are prohibited and thus are unlawful for any person to conduct or to cause to be conducted:

(195) (1) Recovering, altering, destroying, possessing, or attempting to recover, alter, destroy, or possess an underwater cultural resource.

(196) (2) Drilling into, dredging or otherwise altering the lake bottom associated with underwater cultural resources, including contextual information; or constructing, placing or abandoning any structure, material or other matter on the lake bottom associated with underwater cultural resources, except as an incidental result of:

(197) (i) Anchoring vessels;

(198) (ii) Traditional fishing operations; or

(199) (iii) Minor projects (as defined in Appendix B of this subpart) that do not adversely affect underwater cultural resources.

(200) (3) Using grappling hooks or other anchoring devices on underwater cultural resource sites that are marked with a mooring buoy.

(201) (4) Interfering with, obstructing, delaying or preventing an investigation, search, seizure or disposition of seized property in connection with enforcement of the Act or any regulations issued under the Act.

(202) (b) Members of a federally-recognized Indian tribe may exercise treaty-secured rights, subject to the requirements of other applicable law, without regard to the requirements of this subpart. The Director may consult with the governing body of a tribe regarding ways the tribe may exercise such rights consistent with the purposes of the Sanctuary, provided that the rights are authorized by the tribe by regulation, license, or permit.

(203) (c) The prohibitions in paragraphs (a)(1) through (3) of this section do not apply to valid law enforcement activities, or any activity necessary to respond to an emergency threatening life or the environment.

(204) (d) The prohibitions in paragraphs (a) (1) through (3) of this section do not apply to any activity:

(205) (1) Specifically authorized by, and conducted in accordance with the scope, purpose, terms and conditions of, a permit issued pursuant to §922.195 or a Special Use Permit issued pursuant to section 310 of the NMSA.

(206) (2) Specifically authorized by any valid Federal, State, or local lease, permit, license, approval, or other

authorization in existence on the effective date of these regulations, or by any valid right of subsistence use or access in existence on the effective date of these regulations, provided that the holder of such authorization or right complies with §922.194 and §922.47 and with any terms and conditions for the exercise of such authorization or right imposed by the Director as a condition of certification as he or she deems reasonably necessary to achieve the purposes for which the Sanctuary was designated.

(207)

§922.194 Certification of preexisting leases, licenses, permits, approvals, other authorizations, or rights to conduct a prohibited activity.

(208) (a) A person may conduct an activity prohibited by §922.193 (a)(1) through (3) if such activity is specifically authorized by a valid Federal, State, or local lease, permit, license, approval, or other authorization in existence on the effective date of Sanctuary designation, or by any valid right of subsistence use or access in existence on the effective date of Sanctuary designation, *provided that*:

(209) (1) For any State or local lease, permit, license, approval, or other authorization, or any right of subsistence use, the State Archaeologist certifies to the Director, within 90 days of the effective date of designation, that the activity authorized under the State or local lease, permit, license, approval, or other authorization, or any right of subsistence use, is being conducted consistent with the Programmatic Agreement, in which case such activity shall be deemed to have met the requirements of this section and §922.47; or

(210) (2) In the case where either:

(211) (i) The State Archaeologist does not certify that the activity authorized under a State or local lease, permit, license, approval, or other authorization, or right of subsistence use is being conducted consistent with the Programmatic Agreement; or

(212) (ii) The activity is conducted pursuant only to a Federal permit, the holder of the authorization or right complies with paragraphs (b) through (k) of this section.

(213) (b) For an activity described in paragraph (a)(2) of this section, the holder of the authorization or right may conduct the activity prohibited by §922.193 (a)(1) through (3) *provided that*:

(214) (1) The holder of such authorization or right notifies the Director, in writing, within 90 days of the effective date of Sanctuary designation, of the existence of such authorization or right and requests certification of such authorization or right;

(215) (2) The holder complies with the other provisions of §922.194; and

(216) (3) The holder complies with any terms and conditions on the exercise of such authorization or right imposed as a condition of certification, by the Director, to achieve the purposes for which the Sanctuary was designated.

(217) (c) The holder of an authorization or right described in paragraph (a)(2) of this section authorizing an activity prohibited by §922.193 may conduct the activity without being in violation of applicable provisions of §922.193, pending final agency action on his or her certification request, provided the holder is in compliance with this §922.194.

(218) (d) Any holder of an authorization or right described in paragraph (a)(2) of this section may request the Director to issue a finding as to whether the activity for which the authorization has been issued, or the right given, is prohibited by §922.193, thus requiring certification under this section.

(219) (e) Requests for findings or certifications should be addressed to the Director, Office of Ocean and Coastal Resource Management; ATTN: Sanctuary Manager, Thunder Bay National Marine Sanctuary and Underwater Preserve, 1305 East-West Highway, N/ORM, Silver Spring, MD, 20910. A copy of the lease, permit, license, approval, or other authorization must accompany the request.

(220) (f) The Director may request additional information from the certification requester as he or she deems reasonably necessary to condition appropriately the exercise of the certified authorization or right to achieve the purposes for which the Sanctuary was designated. The Director must receive the information requested within 45 days of the postmark date of the request. The Director may seek the views of any persons on the certification request.

(221) (g) The Director may amend any certification made under this §922.194 whenever additional information becomes available justifying such an amendment.

(222) (h) Upon completion of review of the authorization or right and information received with respect thereto, the Director shall communicate, in writing, any decision on a certification request or any action taken with respect to any certification made under this §922.194, in writing, to both the holder of the certified lease, permit, license, approval, other authorization, or right, and the issuing agency, and shall set forth the reason(s) for the decision or action taken.

(223) (i) Any time limit prescribed in or established under this §922.194 may be extended by the Director for good cause.

(224) (j) The holder may appeal any action conditioning, amending, suspending, or revoking any certification in accordance with the procedures set forth in §922.50.

(225) (k) Any amendment, renewal, or extension made after the effective date of Sanctuary designation, to a lease, permit, license, approval, other authorization or right is subject to the provisions of §922.195 and §922.49.

(226) (l) For any activity authorized pursuant to §922.193 (b), the holder of such license or permit shall notify the Director, in writing, within 90 days of the effective date of Sanctuary designation, of the existence of such authorization or right.

(227)

§922.195 Permit procedures and criteria.

(228) (a) A person may conduct an activity prohibited by §922.193 (a)(1) through (3), if conducted in accordance with the scope, purpose, terms and conditions of a State Permit *provided that*:

(229) (1) The State Archaeologist certifies to NOAA that the activity authorized under the State Permit will be conducted consistent with the Programmatic Agreement, in which case such State Permit shall be deemed to have met the requirements of §922.49; or

(230) (2) In the case where the State Archaeologist does not certify that the activity to be authorized under a State Permit will be conducted consistent with the Programmatic Agreement, the person complies with the requirements of §922.49 of this part.

(231) (b) If no State Permit is required to conduct an activity prohibited by §922.193 (a)(1) through (3) of this subpart, a person may conduct such activity if it is conducted in accordance with the scope, purpose, terms and conditions of a Federal permit, provided that the person complies with the provisions of §922.49 of this part.

(232) (c) In instances where the conduct of an activity is prohibited by §922.193 (a)(1) through (3) of this subpart is not addressed under a State or other Federal lease, license, permit or other authorization, a person must obtain a Sanctuary permit from NOAA pursuant to §922.48 (c) through (f) of this part and the Programmatic Agreement in order to conduct the activity.

(233) (d) A permit for recovery of an underwater cultural resource may be issued if:

(234) (1) The proposed activity satisfies the requirements for permits described under paragraphs (a) through (c) of this section;

(235) (2) The recovery of the underwater cultural resource is in the public interest;

(236) (3) Recovery of the underwater cultural resource is part of research to preserve historic information for public use; and

(237) (4) Recovery of the underwater cultural resource is necessary or appropriate to protect the resource, preserve historical information, or further the policies of the Sanctuary.

(238) (e) A person shall file an application for a permit with the Michigan Department of Environmental Quality, Land and Water Management Division, P.O. Box 30458, Lansing, MI, 48909-7958. The application shall contain all of the following information:

(239) (1) The name and address of the applicant;

(240) (2) Research plan that describes in detail the specific research objectives and previous work done at the site. An archaeological survey must be conducted on a site before an archaeological permit allowing excavation can be issued;

(241) (3) Description of significant previous work in the area of interest, how the proposed effort would enhance or contribute to improving the state of knowledge, why the proposed effort should be performed in the Sanctuary, and its potential benefits to the Sanctuary;

(242) (4) An operational plan that describes the tasks required to accomplish the project's objectives and the professional qualifications of those conducting and supervising those tasks (see §922.195(e)(9) of this section). The plan must provide adequate description of methods to be used for excavation, recovery and the storage of artifacts and related materials on site, and describe the rationale for selecting the proposed methods over any alternative methods;

(243) (5) Archaeological recording, including site maps, feature maps, scaled photographs, and field notes;

(244) (6) An excavation plan describing the excavation, recovery and handling of artifacts;

(245) (7)(i) A conservation plan documenting:

(246) (A) The conservation facility's equipment;

(247) (B) Ventilation temperature and humidity control; and

(248) (C) storage space.

(249) (ii) Documentation of intended conservation methods and processes must also be included;

(250) (8) A curation and display plan for the curation of the conserved artifacts to ensure the maintenance and safety of the artifacts in keeping with the Sanctuary's federal stewardship responsibilities under the Federal Archaeology Program (36 CFR Part 79, Curation of Federally-Owned and Administered Archaeological Collections); and

(251) (9) Documentation of the professional standards of an archaeologist supervising the archaeological recovery of historical artifacts. The minimum professional qualifications in archaeology are a graduate degree in archaeology, anthropology, or closely related field plus:

(252) (i) At least one year of full-time professional experience or equivalent specialized training in archeological research, administration or management;

(253) (ii) At least four months of supervised field and analytic experience in general North American archaeology;

(254) (iii) Demonstrated ability to carry research to completion; and

(255) (iv) At least one year of full-time professional experience at a supervisory level in the study of archeological resources in the underwater environment.

(256)

§922.196 Emergency regulations.

(257) (a) Where necessary to prevent or minimize the destruction of, loss of, or injury to an underwater cultural resource, or to minimize the imminent risk of such destruction, loss, or injury, any and all activities are subject to immediate temporary regulation, including prohibition. An emergency regulation shall not take effect without the approval of the Governor of Michigan.

(258) (b) Emergency regulations remain in effect until a date fixed in the rule or six months after the effective date,

whichever is earlier. The rule may be extended once for not more than six months.

(259)

§922.197 Effect on affected federally-recognized Indian tribes.

(260) The exercise of treaty fishing rights is not modified, altered, or in any way affected by the regulations promulgated in this Subpart. The Director shall consult with the governing body of each federally-recognized Indian tribe mentioned in the 1836 Treaty of Washington and in subsequent court decisions related to the Treaty regarding any matter which might affect the ability of the Tribe's members to participate in treaty fishing activities in the Sanctuary.

(261)

§922.198 Procedures for determining watercraft and related items which sink on or after the date of Sanctuary designation to be an underwater cultural resource.

(262) The Director, in consultation with the State of Michigan, appropriate federal agencies, and the governing body of any affected federally-recognized tribe, may determine, after providing 45 days for public comment, that any sunken watercraft, including a ship, boat, canoe, skiff, raft, or barge; the rigging, gear, fittings, trappings, and equipment of any sunken watercraft; the personal property of the officers, crew, and passengers of any sunken watercraft; and the cargo of any sunken watercraft, that sinks on or after the date of Sanctuary designation, to be an underwater cultural resource if such is determined by the Director to be 50 years or older and of special national significance due to architectural significance or association with individuals or events that are significant to local or national history.

(263)

Appendix A to Subpart R of Part 922–Thunder Bay National Marine Sanctuary and Underwater Preserve Boundary Coordinates[Based on North American Datum of 1983]

(264)

Point ID	Latitude (north)	Longitude (west)
1	44°30'46.2"	82°19'46.3"
2	44°51'29.3"	82°24'31.4"
3	45°12'30.5"	82°29'26.1"
4	45°20'09.2"	82°31'14.3"
5	45°46'19.0"	83°29'02.3"
6	45°46'26.2"	83°38'12.7"
7	45°50'00.0"	83°35'12.8"
8	45°50'00.0"	84°20'00.0"
9*	45°39'46.3"	84°20'00.0"
10*	45°25'02.4"	83°46'23.8"
11	45°25'15.7"	83°47'41.5"
12	45°25'37.5"	83°47'37.4"
13	45°25'24.3"	83°45'11.4"
14	45°25'02.9"	83°45'12.0"
15	45°24'43.6"	83°46'05.0"
16*	45°24'26.6"	83°46'04.3"
17*	45°17'48.2"	83°25'08.7"
18	45°17'48.6"	83°24'34.7"
19	45°17'24.4"	83°24'34.7"
20	45°17'40.7"	83°25'08.9"
21*	45°17'48.5"	83°25'22.0"
22*	45°03'58.8"	83°24'25.7"
23*	45°03'56.2"	83°24'29.2"
24*	44°30'42.2"	83°19'12.6"
25	44°30'46.2"	82°19'46.3"

Note: The coordinates in the table above marked with an asterisk (*) are not part of the sanctuary boundary. These coordinates are landward reference points used to draw a line segment that intersects with the shoreline for the purpose of charting the boundary.

(265)

Appendix B to Subpart R of Part 922–Minor Projects for Purposes of §922.193(a)(2)(iii)

(266) Pursuant to Michigan State Administrative Rule R 322.1013 of Part 325, Great Lakes Submerged Lands of Public Act 451 (Michigan State Statute), the Michigan Department of Environmental Quality (Department) issues permits for projects that are of a minor nature which are not controversial, which have minimal adverse environmental impact, which will be constructed of clean, non-polluting materials, which do not impair the use of the adjacent bottom lands by the public, and which do not adversely affect riparian interests of adjacent owners. The following projects are minor projects:

(267) (a) Noncommercial single piers, docks, and boat hoists which meet the following design criteria:

(268) (i) are of a length or size not greater than the length or size of similar structures in the vicinity and on the watercourse involved; and

(269) (ii) provide for the free littoral flow of water and drift material.

(270) (b) Spring piles and pile clusters when their design and purpose is usual for such projects in the vicinity and on the watercourse involved.

(271) (c) Seawalls, bulkheads, and other permanent revetment structures which meet all of the following purpose and design criteria:

(272) (i) the proposed structure fulfills an identifiable need for erosion protection, bank stabilization, protection of uplands, or improvements on uplands;

(273) (ii) the structure will be constructed of suitable materials free from pollutants, waste metal products, debris, or organic materials;

(274) (iii) the structure is not more than 300 feet in length and is located in an area on the body of water where other similar structures already exist;

(275) (iv) the placement of backfill or other fill associated with the construction does not exceed an average of 3 cubic yards per running foot along the shoreline and a maximum of 300 cubic yards; and

(276) (v) the structure or any associated fill will not be placed in a wetland area or placed in any manner that impairs surface water flow into or out of any wetland area.

(277) (d) Groins 50 feet or less in length, as measures from the toe to bluff, which meet all of the following criteria:

(278) (i) the groin is low profile, with the lakeward end not more than 1 foot above the existing water level; and

(279) (ii) the groin is placed at least ½ of the groin length from the adjacent property line or closer with written approval of the adjacent riparian.

(280) (e) Filling for restoration of existing permitted fill, fills placed incidental to construction of other structures, and fills that do not exceed 300 cubic yards as a single and complete project, where the fill is of suitable material free from pollutants, waste metal products, debris, or organic materials.

(281) (f) Dredging for the maintenance of previously dredged areas or dredging of not more than 300 cubic yards as a single and complete project when both of the following criteria are met:

(282) (i) No reasonable expectation exists that the materials to be dredged are polluted; and

(283) (ii) All dredging materials will be removed to an upland site exclusive of wetland areas.

(284) (g) Structural repair of man-made structures, except as exempted by Michigan State Administrative Rule R 322.1008(3), when their design and purpose meet both of the following criteria:

(285) (i) The repair does not alter the original use of a recently serviceable structure; and

(286) (ii) The repair will not adversely affect public trust values or interests, including navigation and water quality.

(287) (h) Fish or wildlife habitat structures which meet both of the following criteria:

(288) (i) Are placed so the structures do not impede or create a navigational hazard; and

(289) (ii) Are anchored to the bottom lands.

(290) (i) Scientific structures such as staff gauges, water monitoring devices, water quality testing devices, survey devices, and core sampling devices, if the structures do not impede or create a navigational hazard.

(291) (j) Navigational aids which meet both of the following criteria:

(292) (i) Are approved by the United States Coast Guard; and

(293) (ii) Are approved under Michigan State Act No. 303 of the Public Acts of 1967, as amended, being Section 281.1001 et seq. of the Michigan Compiled Laws, and known as the Marine Safety Act.

(294) (k) Extension of a project where work is being performed under a current permit and which will result in no damage to natural resources.

(295) (l) A sand trap wall which meets all of the following criteria:

(296) (i) The wall is 300 feet or less in length along the shoreline;

(297) (ii) The wall does not extend more than 30 feet lakeward of the toe of bluff;

(298) (iii) The wall is low profile, that is, it is not more than 1 foot above the existing water level; and

(299) (iv) The wall is constructed of wood or steel or other non-polluting material.

(300) (m) Physical removal of man-made structures or natural obstructions which meet all of the following criteria:

(301) (i) The debris and spoils shall be removed to an upland site, not in a wetland, in a manner which will not allow erosion into pubic waters;

(302) (ii) The shoreline and bottom contours shall be restored to an acceptable condition; and

(303) (iii) Upon completion of structure removal, the site does not constitute a safety or navigational hazard. Department staff shall consider fisheries and wildlife resource values when evaluating applications for natural obstruction removal.

(304)

TITLE 21–FOOD AND DRUGS

(305)

Part 1250–Interstate Conveyance Sanitation

(306)

§1250.93 Discharge of Wastes.

(307) Vessels operating on freshwater lakes or rivers shall not discharge sewage, or ballast or bilge water, within such areas adjacent to domestic water intakes as are designated by the Commissioner of Food and Drugs.

(308) **Cross Reference**: For Environmental Protection Agency's regulations for vessel sanitary discharges as related to authority under the Federal Water Pollution Control Act, as amended (33 U.S.C. 1314 *et seq*.), see 40 CFR part 140.

(309)

TITLE 33–NAVIGATION AND NAVIGABLE WATERS

(310)

Part 26–Vessel Bridge-to-Bridge Radiotelephone Regulations

(311)

§26.01 Purpose.

(312) (a) The purpose of this part is to implement the provisions of the Vessel Bridge-to-Bridge Radiotelephone Act. This part–

(313) (1) Requires the use of the vessel bridge-to-bridge radiotelephone;

(314) (2) Provides the Coast Guard's interpretation of the meaning of important terms in the Act;

(315) (3) Prescribes the procedures for applying for an exemption from the Act and the regulations issued under the Act and a listing of exemptions.

(316) (b) Nothing in this part relieves any person from the obligation of complying with the rules of the road and the applicable pilot rules.

(317)

§26.02 Definitions.

(318) For the purpose of this part and interpreting the Act:

(319) *Act* means the "Vessel Bridge-to-Bridge Radiotelephone Act", 33 U.S.C. section 1201-1208;

(320) *Length* is measured from end to end over the deck excluding sheer;

(321) *Power-driven vessel* means any vessel propelled by machinery; and

(322) *Secretary* means the Secretary of the Department in which the Coast Guard is operating;

(323) *Territorial sea* means all waters as defined in § 2.22(a)(1) of this chapter.

(324) *Towing vessel* means any commercial vessel engaged in towing another vessel astern, alongside, or by pushing ahead.

(325) *Vessel Traffic Services* (VTS) means a service implemented under Part 161 of this chapter by the United States Coast Guard designed to improve the safety and efficiency of vessel traffic and to protect the environment. The VTS has the capability to interact with marine traffic and respond to traffic situations developing in the VTS area.

(326) *Vessel Traffic Service Area* or VTS Area means the geographical area encompassing a specific VTS area of service as described in Part 161 of this chapter. This area of service may be subdivided into sectors for the purpose of allocating responsibility to individual Vessel Traffic Centers or to identify different operating requirements.

(327) **Note:** Although regulatory jurisdiction is limited to the navigable waters of the United States, certain vessels will be encouraged or may be required, as a condition of port entry to report beyond this area to facilitate traffic management within the VTS area.

(328)

§26.03 Radiotelephone required.

(329) (a) Unless an exemption is granted under §26.09 and except as provided in Paragraph (a)(4) of this section, this part applies to:

(330) (1) Every power-driven vessel of 20 meters or over in length while navigating:

(331) (2) Every vessel of 100 gross tons upward carrying one or more passengers for hire while navigating;

(332) (3) Every towing vessel of 26 feet or over in length while navigating; and

(333) (4) Every dredge and floating plant engaged in or near a channel or fairway in operations likely to restrict or affect navigation of other vessels except for an unmanned or intermittently manned floating plant under the control of a dredge.

(334) (b) Every vessel, dredge, or floating plant described in Paragraph (a) of this section must have a radiotelephone on board capable of operation from its navigational bridge, or in the case of a dredge, from its main control station, and capable of transmitting and receiving on the frequency or frequencies within the 156-162 Mega-Hertz band using the classes of emissions designated by the Federal Communications Commission for the exchange of navigational information.

(335) (c) The radiotelephone required by paragraph (b) of this section must be carried on board the described vessels, dredges, and floating plants upon the navigable waters of the United States.

(336) (d) The radiotelephone required by paragraph (b) of this section must be capable of transmitting and receiving on VHF FM channel 22A (157.1 MHz).

(337) (e) While transiting any of the following waters, each vessel described in paragraph (a) of this section also must have on board a radiotelephone capable of transmitting and receiving on VHF FM channel 67 (156.375 MHz):

(338) (1) The lower Mississippi River from the territorial sea boundary, and within either the Southwest Pass safety fairway or the South Pass safety fairway specified in 33 CFR 166.200, to Mile 242.4 AHP (Above Head of Passes) near Baton Rouge;

(339) (2) The Mississippi River-Gulf Outlet from the territorial sea boundary, and within the Mississippi River-Gulf Outlet Safety Fairway specified in 33 CFR 166.200, to that channel's junction with the Inner Harbor Navigation Canal; and

(340) (3) The full length of the Inner Harbor Navigation Canal from its junction with the Mississippi River to that canal's entry to Lake Pontchartrain at the New Seabrook vehicular bridge.

(341) (f) In addition to the radiotelephone required by paragraph (b) of this section, each vessel described in paragraph (a) of this section while transiting any waters within a Vessel Traffic Service Area, must have on board a radiotelephone capable of transmitting and receiving on the VTS designated frequency in Table 161.12(c) (VTS and VMRS Centers, Call Signs/MMSI, Designated Frequencies, and Monitoring Areas).

(342) **Note:** A single VHF-FM radio capable of scanning or sequential monitoring (often referred to as "dual watch" capability) will not meet the requirements for two radios.

(343)

§26.04 Use of the designated frequency.

(344) (a) No person may use the frequency designated by the Federal Communications Commission under section 8 of the Act, 33 U.S.C. 1207(a), to transmit any information other than information necessary for the safe navigation of vessels or necessary tests.

(345) (b) Each person who is required to maintain a listening watch under section 5 of the Act shall, when necessary, transmit and confirm, on the designated frequency, the intentions of his vessel and any other information necessary for the safe navigation of vessels.

(346) (c) Nothing in these regulations may be construed as prohibiting the use of the designated frequency to communicate with shore stations to obtain or furnish information necessary for the safe navigation of vessels.

(347) (d) On the navigable waters of the United States, channel 13 (156.65 MHz) is the designated frequency required to be monitored in accordance with §26.05(a) except that in the area prescribed in §26.03(e), channel 67 (156.375 MHz) is the designated frequency.

(348) (e) On those navigable waters of the United States within a VTS area, the designated VTS frequency is an additional designated frequency required to be monitored in accordance with §26.05.

(349)

§26.05 Use of radiotelephone.

(350) Section 5 of the Act states that the radiotelephone required by this Act is for the exclusive use of the master or person in charge of the vessel, or the person designated by the master or person in charge to pilot or direct the movement of the vessel, who shall maintain a listening watch on the designated frequency. Nothing herein shall be interpreted as precluding the use of portable radiotelephone equipment to satisfy the requirements of this act.

(351)

§26.06 Maintenance of radiotelephone; failure of radiotelephone.

(352) Section 6 of the Act states:

(353) (a) Whenever radiotelephone capability is required by this Act, a vessel's radiotelephone equipment shall be maintained in effective operating condition. If the radiotelephone equipment carried aboard a vessel ceases to operate, the master shall exercise due diligence to restore it or cause it to be restored to effective operating condition at the earliest practicable time. The failure of a vessel's radiotelephone equipment shall not, in itself, constitute a violation of this Act, nor shall it obligate the master of any vessel to moor or anchor his vessel; however, the loss of radiotelephone capability shall be given consideration in the navigation of the vessel.

(354)

§26.07 Communications.

(355) No person may use the services of, and no person may serve as, a person required to maintain a listening watch under section 5 of the Act, 33 U.S.C. 1204 unless the person can communicate in the English language.

(356)

§26.08 Exemption procedures.

(357) (a) The Commandant has redelegated to the Assistant Commandant for Marine Safety, Security and Environmental Protection, U.S. Coast Guard Headquarters, with the reservation that this authority shall not be further redelegated, the authority to grant exemptions from provisions of the Vessel Bridge-to-Bridge Radiotelephone Act and this part.

(358) (b) Any person may petition for an exemption from any provision of the Act or this part;

(359) (c) Each petition must be submitted in writing to Commandant (CG–DCO–D), Attn: Deputy for Operations Policy and Capabilities, U.S. Coast Guard Stop 7318, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593–7318, and must state:

(360) (1) The provisions of the Act or this part from which an exemption is requested; and

(361) (2) The reasons why marine navigation will not be adversely affected if the exemption is granted and if the exemption relates to a local communication system how that system would fully comply with the intent of the concept of the Act but would not conform in detail if the exemption is granted.

(362)

§26.09 List of exemptions.

(363) (a) All vessels navigating on those waters governed by the navigation rules for Great Lakes and their connecting and tributary waters (33 U.S.C. 241 et seq.) are exempt from the requirements of the Vessel Bridge-to-Bridge Radiotelephone Act and this part until May 6, 1975.

(364) (b) Each vessel navigating on the Great Lakes as defined in the Inland Navigational Rules Act of 1980 (33 U.S.C. 2001 et seq.) and to which the Vessel Bridge-to-Bridge Radiotelephone Act (33 U.S.C. 1201-1208) applies is exempt from the requirements in 33 U.S.C. 1203, 1204, and 1205 and the regulations under §§26.03, 26.04, 26.05, 26.06, and 26.07. Each of these vessels and each person to whom 33 U.S.C. 1208(a) applies must comply with Articles VII, X, XI, XII, XIII, XV, and XVI and Technical Regulations 1-9 of "The Agreement Between the United States of America and Canada for Promotion of Safety on the Great Lakes by Means of Radio, 1973."

(365)

Part 81–72 COLREGS: IMPLEMENTING RULES

(366)

§81.1 Definitions.

(367) As used in this part:

(368) *72 COLREGS* refers to the International Regulations for Preventing Collisions at Sea, 1972, done at London, October 20, 1972, as rectified by the Proces-Verbal of December 1, 1973, as amended.

(369) *A vessel of special construction or purpose* means a vessel designed or modified to perform a special function and whose arrangement is thereby made relatively inflexible.

(370) *Interference with the special function of the vessel* occurs when installation or use of lights, shapes, or sound-signaling appliances under 72 COLREGS prevents or significantly hinders the operation in which the vessel is usually engaged.

(371)

§81.3 General.

(372) Vessels of special construction or purpose which cannot fully comply with the light, shape, and sound signal provisions of 72 COLREGS without interfering with their special function may instead meet alternative requirements. The Chief of the Marine Safety Division in each Coast Guard District Office makes this determination and requires that alternative compliance be as close as possible with the 72 COLREGS. These regulations set out the procedure by which a vessel may be certified for alternative compliance. The information collection and recordkeeping requirements in §§81.5 and 81.18 have been approved by the Office of Management and Budget under OMB control No. 1625-0019.

(373)

Alternative Compliance

(374)

§81.5 Application for a Certificate of Alternative Compliance.

(375) (a) The owner, builder, operator, or agent of a vessel of special construction or purpose who believes the vessel cannot fully comply with the 72 COLREGS light, shape, or sound signal provisions without interference with its special function may apply for a determination that alternative compliance is justified. The application must be in writing, submitted to the Chief of the Marine Safety Division of the Coast Guard District in which the vessel is being built or operated, and include the following information:

(376) (1) The name, address, and telephone number of the applicant.

(377) (2) The identification of the vessel by its:

(378) (i) Official number;

(379) (ii) Shipyard hull number;

(380) (iii) Hull identification number; or

(381) (iv) State number, if the vessel does not have an official number or hull identification number.

(382) (3) Vessel name and home port, if known.

(383) (4) A description of the vessel's area of operation.

(384) (5) A description of the provision for which the Certificate of Alternative Compliance is sought, including:

(385) (i) The 72 COLREGS Rule or Annex section number for which the Certificate of Alternative Compliance is sought;

(386) (ii) A description of the special function of the vessel that would be interfered with by full compliance with the provision of that Rule or Annex section; and

(387) (iii) A statement of how full compliance would interfere with the special function of the vessel.

(388) (6) A description of the alternative installation that is in closest possible compliance with the applicable 72 COLREGS Rule or Annex section.

(389) (7) A copy of the vessel's plans or an accurate scale drawing that clearly shows:

(390) (i) The required installation of the equipment under the 72 COLREGS,

(391) (ii) The proposed installation of the equipment for which certification is being sought, and

(392) (iii) Any obstructions that may interfere with the equipment when installed in:

(393) (A) The required location; and

(394) (B) The proposed location.

(395) (b) The Coast Guard may request from the applicant additional information concerning the application.

(396)

§81.9 Certificate of Alternative Compliance: Contents.

(397) The Chief of the Marine Safety Division issues the Certificate of Alternative Compliance to the vessel based on a determination that it cannot comply fully with 72 COLREGS light, shape, and sound signal provisions without interference with its special function. This Certificate includes—

(398) (a) Identification of the vessel as supplied in the application under §81.5(a)(2);

(399) (b) The provision of the 72 COLREGS for which the Certificate authorizes alternative compliance;

(400) (c) A certification that the vessel is unable to comply fully with the 72 COLREGS lights, shape, and sound signal requirements without interference with its special function;

(401) (d) A statement of why full compliance would interfere with the special function of the vessel;

(402) (e) The required alternative installation;

(403) (f) A statement that the required alternative installation is in the closest possible compliance with the 72 COLREGS without interfering with the special function of the vessel;

(404) (g) The date of issuance;

(405) (h) A statement that the Certificate of Alternative Compliance terminates when the vessel ceases to be usually engaged in the operation for which the certificate is issued.

(406)

§81.17 Certificate of Alternative Compliance: Termination.

(407) The Certificate of Alternative Compliance terminates if the information supplied under §81.5(a) or the Certificate issued under §81.9 is no longer applicable to the vessel.

(408)

§81.18 Notice and record of certification of vessels of special construction or purpose.

(409) (a) In accordance with 33 U.S.C. 1605(c), a notice is published in the Federal Register of the following:

(410) (1) Each Certificate of Alternative Compliance issued under §81.9; and

(411) (2) Each Coast Guard vessel determined by the Commandant to be a vessel of special construction or purpose.

(412) (b) Copies of Certificate of Alternative Compliance and documentation concerning Coast Guard vessels are available for inspection at Marine Transportation Systems Directorate, U.S. Coast Guard Headquarters, (CG-5PW), Stop 7509, 2703 Martin Luther King Avenue SE., Washington, DC 20593-7509.

(413) (c) The owner or operator of a vessel issued a Certificate shall ensure that the vessel does not operate unless the Certificate of Alternative Compliance or a certified copy of that Certificate is on board the vessel and available for inspection by Coast Guard personnel.

(414)

Exemptions

(415)

§81.20 Lights and sound signal appliances.

(416) Each vessel under the 72 COLREGS, except the vessels of the Navy, is exempt from the requirements of the 72 COLREGS to the limitation for the period of time stated in Rule 38 (a), (b), (c), (d), (e), (f), and (g) if:

(417) (a) Her keel is laid or is at a corresponding stage of construction before July 15, 1977; and

(418) (b) She meets the International Regulations for Preventing Collisions at Sea, 1960 (77 Stat. 194, 33 U.S.C. 1051-1094).

(419)

Part 82—72 COLREGS: INTERPRETATIVE RULES

(420)

§82.1 Purpose.

(421) This part contains the interpretative rules concerning the 72 COLREGS that are adopted by the Coast Guard for the guidance of the public.

(422)

§82.3 Pushing vessel and vessel being pushed: Composite unit.

(423) Rule 24(b) of the 72 COLREGS states that when a pushing vessel and a vessel being pushed ahead are rigidly connected in a composite unit, they are regarded as a power-driven vessel and must exhibit the lights under Rule 23. A "composite unit" is interpreted to be a pushing vessel that is rigidly connected by mechanical means to a vessel being pushed so they react to sea and swell as one vessel. "Mechanical means" does not include the following:

(424) (a) Lines.

(425) (b) Hawsers.

(426) (c) Wires.

(427) (d) Chains.

(428)

§82.5 Lights for moored vessels.

(429) For the purposes of Rule 30 of the 72 COLREGS, a *vessel at anchor* includes a barge made fast to one or more mooring buoys or other similar device attached to the sea or river floor. Such a barge may be lighted as a vessel at anchor in accordance with Rule 30, or may be lighted on the corners in accordance with 33 CFR 83.30(h) through (l).

(430)

§82.7 Sidelights for unmanned barges.

(431) An unmanned barge being towed may use the exception of COLREGS Rule 24(h). However, this exception only applies to the vertical sector requirements.

(432)

Part 88—ANNEX V: PILOT RULES

(433)

§88.01 Purpose and applicability.

(434) This part applies to all vessels operating on United States inland waters and to United States vessels operating on the Canadian waters of the Great Lakes to the extent there is no conflict with Canadian law.

(435)

§88.03 Definitions.

(436) The terms used in this part have the same meaning as the terms defined in part 83 of this subchapter.

(437)

§88.05 Law enforcement vessels.

(438) (a) Law enforcement vessels may display a flashing blue light when engaged in direct law enforcement or public safety activities. This light must be located so that it does not interfere with the visibility of the vessel's navigation lights.

(439) (b) The blue light described in this section may be displayed by law enforcement vessels of the United States and the States and their political subdivisions.

(440)

§88.07 Public safety activities.

(441) (a) Vessels engaged in government sanctioned public safety activities, and commercial vessels performing similar functions, may display an alternately flashing red and yellow light signal. This identification light signal must be located so that it does not interfere with the visibility of the vessel's navigation lights. The identification light signal may be used only as an identification signal and conveys no special privilege. Vessels using the identification light signal during public safety activities must abide by the Inland Navigation Rules, and must not presume that the light or the exigency gives them precedence or right of way.

(442) (b) Public safety activities include but are not limited to patrolling marine parades, regattas, or special water celebrations; traffic control; salvage; firefighting; medical assistance; assisting disabled vessels; and search and rescue.

(442.001)

Part 89—INLAND NAVIGATION RULES: IMPLEMENTING RULES

(442.002)

Subpart A—Certificate of Alternative Compliance

(442.003)

§89.1 Definitions.

(442.004) As used in this subpart:

(442.005) *Inland Rules* refers to the Inland Navigation Rules contained in the Inland Navigational Rules Act of 1980 (Pub. L. 96-591) and the technical annexes established under that act.

(442.006) *A vessel of special construction or purpose* means a vessel designed or modified to perform a special function and whose arrangement is thereby made relatively inflexible.

(442.007) *Interference with the special function of the vessel* occurs when installation or use of lights, shapes, or sound-signaling appliances under the Inland Rules prevents or significantly hinders the operation in which the vessel is usually engaged.

(442.008)

§89.3 General.

(442.009) Vessels of special construction or purpose which cannot fully comply with the light, shape, and sound signal provisions of the Inland Rules without interfering with their special function may instead meet alternative requirements. The Chief of the Marine Safety Division in each Coast Guard District Office makes this determination and requires that alternative compliance be as close as possible with the Inland Rules. These regulations set out the procedure by which a vessel may be certified for alternative compliance. The information collection and recordkeeping requirements in §§89.5 and 89.18 have been approved by the Office of Management and Budget under OMB control No. 1625-0019.

(442.010)

§89.5 Application for a Certificate of Alternative Compliance.

(442.011) (a) The owner, builder, operator, or agent of a vessel of special construction or purpose who believes the vessel cannot fully comply with the Inland Rules light, shape, or sound signal provisions without interference with its special function may apply for a determination that alternative compliance is justified. The application must be in writing, submitted to the Chief of the Marine Safety Division of the Coast Guard District in which the vessel is being built or operated, and include the following information:

(442.012) (1) The name, address, and telephone number of the applicant.

(442.013) (2) The identification of the vessel by its:

(442.014) (i) Official number;

(442.015) (ii) Shipyard hull number;

(442.016) (iii) Hull identification number; or

(442.017) (iv) State number, if the vessel does not have an official number or hull identification number.

(442.018) (3) Vessel name and home port, if known.

(442.019) (4) A description of the vessel's area of operation.

(442.020) (5) A description of the provision for which the Certificate of Alternative Compliance is sought, including:

(442.021) (i) The Inland Rules Rule or Annex section number for which the Certificate of Alternative Compliance is sought;

(442.022) (ii) A description of the special function of the vessel that would be interfered with by full compliance with the provision of that Rule or Annex section; and

(442.023) (iii) A statement of how full compliance would interfere with the special function of the vessel.

(442.024) (6) A description of the alternative installation that is in closest possible compliance with the applicable Inland Navigation Rules Rule or Annex section.

(442.025) (7) A copy of the vessel's plans or an accurate scale drawing that clearly shows:

(442.026) (i) The required installation of the equipment under the Inland Rules,

(442.027) (ii) The proposed installation of the equipment for which certification is being sought, and

(442.028) (iii) Any obstructions that may interfere with the equipment when installed in:

(442.029) (A) The required location; and

(442.030) (B) The proposed location.

(442.031) (b) The Coast Guard may request from the applicant additional information concerning the application.

(442.032)

§89.9 Certificate of Alternative Compliance: Contents.

(442.033) The Chief of the Marine Safety Division issues the Certificate of Alternative Compliance to the vessel based on a determination that it cannot comply fully with Inland Rules light, shape, and sound signal provisions without interference with its special function. This Certificate includes:

(442.034) (a) Identification of the vessel as supplied in the application under §89.5(a)(2);

(442.035) (b) The provision of the Inland Rules for which the Certificate authorizes alternative compliance;

(442.036) (c) A certification that the vessel is unable to comply fully with the Inland Rules light, shape, and sound signal requirements without interference with its special function;

(442.037) (d) A statement of why full compliance would interfere with the special function of the vessel;

(442.038) (e) The required alternative installation;

(442.039) (f) A statement that the required alternative installation is in the closest possible compliance with the Inland Rules without interfering with the special function of the vessel;

(442.040) (g) The date of issuance;

(442.041) (h) A statement that the Certificate of Alternative Compliance terminates when the vessel ceases to be

usually engaged in the operation for which the certificate is issued.

(442.042)

§89.17 Certificate of Alternative Compliance: Termination.

(442.043) The Certificate of Alternative Compliance terminates if the information supplied under §89.5(a) or the Certificate issued under §89.9 is no longer applicable to the vessel.

(442.044)

§89.18 Record of certification of vessels of special construction or purpose.

(442.045) (a) Copies of Certificates of Alternative Compliance and documentation concerning Coast Guard vessels are available for inspection at the offices of the Marine Transportation Systems Directorate, U.S. Coast Guard Headquarters (CG-5PW), Stop 7509, 2703 Martin Luther King Avenue SE., Washington, DC 20593-7509.

(442.046) (b) The owner or operator of a vessel issued a Certificate shall ensure that the vessel does not operate unless the Certificate of Alternative Compliance or a certified copy of that Certificate is on board the vessel and available for inspection by Coast Guard personnel.

(442.047)

Subpart B—Waters Upon Which Certain Inland Navigation Rules Apply

(442.048)

§89.21 Purpose.

(442.049) Inland Navigation Rules 9(a)(ii), 14(d), and 15(b) apply to the Great Lakes, and along with 24(i), apply on the "Western Rivers" as defined in Rule 3(1), and to additional specifically designated waters. The purpose of this Subpart is to specify those additional waters upon which Inland Navigation Rules 9(a)(ii), 14(d), 15(b), and 24(i) apply.

(442.050)

§89.23 Definitions.

(442.051) As used in this subpart:

(442.052) *Inland Rules* refers to the Inland Navigation Rules contained in the Inland Navigational Rules Act of 1980 (Pub. L. 96-591, 33 U.S.C. 2001 et. seq.) and the technical annexes established under that Act.

(442.053)

§89.25 Waters upon which Inland Rules 9(a)(ii), 14(d), and 15(b) apply.

(442.054) Inland Rules 9(a)(ii), 14(d), and 15(b) apply on the Great Lakes, the Western Rivers, and the following specified waters:

(442.055) (a) Tennessee-Tombigbee Waterway.

(442.056) (b) Tombigbee River.

(442.057) (c) Black Warrior River.

(442.058) (d) Alabama River.

(442.059) (e) Coosa River.

(442.060) (f) Mobile River above the Cochrane Bridge at St. Louis Point.

(442.061) (g) Flint River.

(442.062) (h) Chattahoochee River.

(442.063) (i) The Apalachicola River above its confluence with the Jackson River.

(442.064)

§89.27 Waters upon which Inland Rule 24(i) applies.

(442.065) (a) Inland Rule 24(i) applies on the Western Rivers and the specified waters listed in §89.25 (a) through (i).

(442.066) (b) Inland Rule 24(i) applies on the Gulf Intracoastal Waterway from St. Marks, Florida, to the Rio Grande, Texas, including the Morgan City-Port Allen Alternate Route and the Galveston-Freeport Cutoff, except that a power-driven vessel pushing ahead or towing alongside shall exhibit the lights required by Inland Rule 24(c), while transiting within the following areas:

(442.067) (1) St. Andrews Bay from the Hathaway Fixed Bridge at Mile 284.6 East of Harvey Locks (EHL) to the DuPont Fixed Bridge at Mile 295.4 EHL.

(442.068) (2) Pensacola Bay, Santa Rosa Sound and Big Lagoon from the Light "10" off of Trout Point at Mile 176.9 EHL to the Pensacola Fixed Bridge at Mile 189.1 EHL.

(442.069) (3) Mobile Bay and Bon Secour Bay from the Dauphin Island Causeway Fixed Bridge at Mile 127.7 EHL to Little Point Clear at Mile 140 EHL.

(442.070) (4) Mississippi Sound from Grand Island Waterway Light "1" at Mile 53.8 EHL to Light "40" off the West Point of Dauphin Island at Mile 118.7 EHL.

(442.071) (5) The Mississippi River at New Orleans, Mississippi River-Gulf Outlet Canal and the Inner Harbor Navigation Canal from the junction of the Harvey Canal and the Algiers Alternate Route at Mile 6.5 West of Harvey Locks (WHL) to the Michoud Canal at Mile 18 EHL.

(442.072) (6) The Calcasieu River from the Calcasieu Lock at Mile 238.6 WHL to the Ellender Lift Bridge at Mile 243.6 WHL.

(442.073) (7) The Sabine Neches Canal from mile 262.5 WHL to mile 291.5 WHL.

(442.074) (8) Bolivar Roads from the Bolivar Assembling Basin at Mile 346 WHL to the Galveston Causeway Bridge at Mile 357.3 WHL.

(442.075) (9) Freeport Harbor from Surfside Beach Fixed Bridge at Mile 393.8 WHL to the Bryan Beach Pontoon Bridge at Mile 397.6 WHL.

(442.076) (10) Matagorda Ship Channel area of Matagorda Bay from Range "K" Front Light at Mile 468.7 WHL to the Port O'Connor Jetty at Mile 472.2 WHL.

(442.077) (11) Corpus Christi Bay from Redfish Bay Day Beacon "55" at Mile 537.4 WHL when in the Gulf Intracoastal Waterway main route or from the north end of Lydia Ann Island Mile 531.1A when in the Gulf Intracoastal Waterway Alternate Route to Corpus Christi Bay LT 76 at Mile 543.7 WHL.

(442.078) (12) Port Isabel and Brownsville Ship Channel south of the Padre Island Causeway Fixed Bridge at Mile 665.1 WHL.

(442.079)

Part 90—INLAND RULES: INTERPRETATIVE RULES

(442.080)

§90.1 Purpose.

(442.081) This part contains the interpretative rules for the Inland Rules. These interpretative rules are intended as a guide to assist the public and promote compliance with the Inland Rules.

(442.082)

§90.3 Pushing vessel and vessel being pushed: Composite unit.

(442.083) Rule 24(b) of the Inland Rules states that when a pushing vessel and a vessel being pushed ahead are rigidly connected in a composite unit, they are regarded as a power-driven vessel and must exhibit the lights prescribed in Rule 23. A "composite unit" is interpreted to be the combination of a pushing vessel and a vessel being push ahead that are rigidly connected by mechanical means so they react to sea and swell as one vessel. Mechanical means does not include lines, wires, hawsers, or chains.

(442.084)

§90.5 Lights for moored vessels.

(442.085) A *vessel at anchor* includes a vessel made fast to one or more mooring buoys or other similar device attached to the ocean floor. Such vessels may be lighted as a vessel at anchor in accordance with Rule 30, or may be lighted on the corners in accordance with 33 CFR 88.30(h) through (l).

(442.086)

§90.7 Sidelights for unmanned barges.

(442.087) An unmanned barge being towed may use the exception of COLREGS Rule 24(h). However, this exception only applies to the vertical sector requirements for sidelights.

(443)

Part 110–AnchorageRegulations

(444)

§110.1 General.

(445) (a) The areas described in subpart A of this part are designated as special anchorage areas for the purposes of rule 30 (33 CFR 83.30) and rule 35 (33 CFR 83.35) of the Inland Navigation Rules, 33 CFR Chapter I, Subchapter E. Vessels of less than 20 meters in length; and barges, canal boats, scows, or other nondescript craft, are not required to sound signals required by rule 35 of the Inland Navigation Rules. Vessels of less than 20 meters are not required to exhibit anchor lights or shapes required by rule 30 of the Inland Navigation Rules.

(446) (b) The anchorage grounds for vessels described in Subpart B of this part are established, and the rules and regulations in relation thereto adopted, pursuant to the authority contained in section 7 of the act of March 4, 1915, as amended (38 Stat. 1053; 33 U.S.C. 471).

(447) (c) All bearings in the part are referred to true meridian.

(448) (d) Geographic coordinates expressed in terms of latitude or longitude, or both, are not intended for plotting on maps or charts whose referenced horizontal datum is the North American Datum of 1983 (NAD 83), unless such geographic coordinates are expressly labeled NAD 83. Geographic coordinates without the NAD 83 reference may be plotted on maps or charts referenced to NAD 83 only after application of the appropriate corrections that are published on the particular map or chart being used.

(449)

Subpart A–Special Anchorage Areas

(450)

§110.8 Lake Champlain, NY and VT.

(451) (a) *Ticonderoga, NY*. An area shoreward of a line bearing 312° from Ticonderoga Light to the southeast corner of the New York State Boat Launching Ramp.

(452) (b) *Essex, NY*. A small cove at the westerly side of Lake Champlain, shoreward of a line connecting the offshore ends of two promontories located at Essex.

(453) (c) *Shelburne, VT*. An area shoreward of a line bearing 142° from the eastern point of Collymer Pt. to Allen Hill.

(454) (c-1) *Shelburne Bay*. Beginning at a point on the shoreline at 44°25'53.0"N., 73°14'47.3"W.; thence north to a point at 44°26'04.8"N., 73°14'46.6"W.; thence northwesterly to a point on the shoreline at 44°26'06.9"N., 73°14'50.2"W.; thence along the shoreline to the point of beginning.

(455) (c-2) *Shelburne Bay Allen Hill to La Platte River*. That portion of the waters of Shelburne Bay west of the line from a point at Allen Hill at 44°24'35"N., 73°14'14"W.; to a point near the mouth of the La Platte River at 44°24'03"N., 73°14'05"W.

(456) **Note:** The anchoring of vessels and placement of temporary moorings in the anchorage area described in paragraph (c-2) of this section are administered by the Harbormaster appointed by the Town of Shelburne, Vermont.

(457) (d) *Mallets Bay, VT*. The southwesterly portion of Mallets Bay, south of Coates Island and west of a line bearing 170° from the most easterly point of Coates Island to the mainland.

(458) (e) *Mallets Bay, VT*. An area in the northwesterly portion of Mallets Bay, south of a line extending from the northeasterly end of Mallets Head to the northeasterly end of Marble Island, and west of a line extending from the northeasterly end of Marble Island to the northeasterly side of Cave Island, and southerly to the point on the lower east side of Mallets Head.

(459) (f) *St. Albans Bay, VT*. An area in the northerly portion of St. Albans Bay westward of the State Pier at St. Albans Bay State Park, northeasterly of a line bearing

296°30' from the southwesterly corner of the State Pier, and southeasterly of a line parallel to and 500 feet west of the west side of the State Pier.

(460) (g) *Charlotte, VT*. An area shoreward of a line bearing 080 T from 44°16'12"N., 73°17'18"W., on Thompson's Point to 44°16'16"N., 73°16'40"W., on William's Point.

(461) (h) *Burlington Harbor, VT*. The waters bounded by a line connecting the following points:

(462) 44°28'14.4"N., 73°13'16.5"W.

(463) 44°28'14.4"N., 73°13'19.5"W.

(464) 44°28'24.4"N., 73°13'18.4"W. and thence along the shoreline to the point of the beginning. These positions have been converted to North American Datum 83.

(465) (i) *Point Au Roche, New York*. The waters of Deep Bay north of a line drawn shore to shore along the 44°46'14"N line of Latitude.

(466) **Note:** Anyone wishing to occupy a mooring in this area shall obtain a permit from the New York State Office of Parks, Recreation and Preservation.

(467)

§110.77a Duluth-Superior Harbor, Duluth, MN

(468) The area adjacent to Park Point in Duluth-Superior Harbor within the following boundaries: beginning at

(469) 46°45'19.3"N., 92°04'43.0"W.; thence to

(470) 46°45'11.7"N., 92°05'01.0"W.; thence to

(471) 46°44'21.2"N., 92°04'15.7"W.; thence to

(472) 46°44'29.4"N., 92°03'57.5"W.; thence to the point of beginning.

(473)

§110.77b Madeline Island, Wisconsin

(474) The waters off of La Pointe Harbor, Madeline Island, Wisconsin, encompassed by the following: starting at 46°46'44.8N., 090°47'14.0"W.; then south southwesterly to 46°46'35.5"N., 090°47'17.0"W.; then south southeasterly to 46°46'27"N., 090°47'12.8"W.; then east southeasterly to 46°46'22.6"N., 090°46'58.8"W.; then following the shoreline back to the starting point (NAD 83).

(475)

§110.78 Sturgeon Bay, Sturgeon Bay, WI

(476) (a) *Area 1*. Beginning at a point bearing 126°, 3,000 feet from the fixed green Sturgeon Bay Canal Leading Light mounted on the highway bridge; thence 120°, 1,200 feet, this line being parallel to and 150 feet from the channel edge; thence 222°, 500 feet; thence 300°, 1,200 feet; thence 042°, 500 feet to the point of beginning.

(477) (b) *Area 2*. Beginning at a point 160 feet from the shoreline and on the east line of 15th Avenue extended; thence south 530 feet to a point 100 feet from the northern edge of the channel; thence southeasterly 2,350 feet along a line parallel to the northern edge of the channel to a point on the east line of 18th Avenue extended, using that portion of 18th Avenue that runs in a true north-south direction perpendicular to Utah Street; thence north 530 feet along this line of 18th Avenue extended to a point approximately 400 feet from the shoreline; thence northwesterly 2,350 feet along a line parallel to the northern edge of the channel to the point of beginning.

(478) **Note:** An ordinance of the City of Sturgeon Bay, Wisconsin, requires moorings to be approved by the Harbor Master of the City of Sturgeon Bay and provides for other regulation of the use of vessels and moorings in this area.

(479)

§110.79a Neenah Harbor, Neenah, WI

(480) (a) Area 1. The area of Neenah Harbor south of the main shipping channel within the following boundary: A line beginning at a point bearing 117.5°, 1,050 feet from the point where the southeasterly side of the First Street/ Oak Street Bridge crosses the south shoreline of the river; thence 254°, 162 feet; thence 146°, 462 feet; 164°, 138 feet; 123°, 367 feet; 068°, 400 feet; 044°, 400 feet; thence 320°, 107 feet; thence 283°, 1,054 feet to the point of beginning.

(481) (b) Area 2. Commencing at a point where the west line of Second Street extended meets the north edge of the harbor, thence south to intersect the north edge of the channel at 44°11'04.2"N., 88°27'13.2"W., thence northwesterly to a point at 44°11'06.3"N., 88°27'16.4"W., thence north to the easterly end of the Neenah Dam Spillway.

(482) **Note:** An ordinance of the city of Neenah, WI, requires approval of the Neenah Police Department for the location and type of individual moorings placed in this special anchorage area.

(483)

§110.79b Millers Bay, Lake Winnebago, Oshkosh, WI

(484) The area adjacent to Menominee Park in Millers Bay within the following boundaries: beginning at

(485) 44°01'47"N., 88°31'05"W.; thence to

(486) 44°01'46"N., 88°31'00"W.; thence to

(487) 44°01'34"N., 88°31'04"W.; thence to

(488) 44°01'36"N., 88°31'08"W.; thence to point of beginning.

(489)

§110.79c Fish Creek Harbor, Fish Creek, Wisconsin

(490) The area within the following boundaries: Beginning at

(491) 45°07'52"N., 87°14'42"W.; thence to

(492) 45°07'53"N., 87°14'37"W.; thence to

(493) 45°07'47"N., 87°14'30"W.; thence to

(494) 45°07'42"N., 87°14'37"W.; thence to

(495) 45°07'44"N., 87°14'40"W.; thence to

(496) 45°07'48"N., 87°14'38"W.; thence to the point of beginning.

(497) **Note 1 to §110.79c**: An ordinance of the Town of Gibraltar, WI, requires moorings to be approved by the Harbor Commission of the Town of Gibralter and provides for other regulation of the use of vessels and moorings.

(498)

§110.80 Milwaukee Harbor, Milwaukee, WI

(499) (a) *McKinley Park*. The water area east of McKinley Park enclosed by a line beginning at McKinley Park Jetty Light; thence 090° 500 feet to a point on the breakwater; thence northerly and northwesterly following the breakwater, piers, jetty and natural shoreline to the point of beginning.

(500) (b) *South Shore Park*. The water area northeast of South Shore Park enclosed by a line beginning at the northeast corner of the jetty at

(501) 43°00'07.5"N., 87°53'08"W.; thence to

(502) 43°00'05"N., 87°53'01"W.; thence to

(503) 42°59'55"N., 87°52'53"W.; thence to

(504) 42°59'40"N., 87°52'33.5"W.; thence to a point of the shoreline at

(505) 42°59'34"N., 87°52'43.5"W.; thence following the shoreline to the point of beginning.

(506) (c) *Bay View Park*. The water area east of Bay View Park enclosed by a line beginning on the shoreline at latitude

(507) 42°59'28.5"N., 87°52'35"W.; thence to

(508) 42°59'35.5"N., 87°52'27"W.; thence to

(509) 42°59'08"N., 87°51'37"W.; thence to a point on the shoreline at

(510) 42°58'59"N., 87°51'46"W.; thence following the shoreline to the point of beginning.

(511) **Note:** An ordinance of the City of Milwaukee, Wisconsin requires the approval of the Milwaukee Harbor Master for the location and type of moorings placed in these special anchorage areas.

(512)

§110.80a Lake Macatawa, MI

(513) An area located on the south side of Lake Macatawa near the entrance to Lake Michigan, shoreward (south) of a line commencing offshore of Macatawa Park at a point 960 feet S 156° E from the light on the south pier at the entrance to the Lake, and extending 1,550 feet N 82° E toward the northwest corner of the Macatawa Bay Yacht Club pier.

(514)

§110.80b Marquette Harbor, Marquette, MI

(515) The area within Marquette Harbor beginning at

(516) 46°32'38"N., 87°22'46"W.; thence to

(517) 46°32'37"N., 87°22'54"W.; thence to

(518) 46°32'33"N., 87°22'54"W.; thence to

(519) 46°32'33"N., 87°22'46"W.; thence to point of origin.

(520) **Note:** An ordinance of the City of Marquette authorizes the Harbormaster to direct the location and length of time any watercraft may anchor in this area.

(521)

§110.81 Muskegon Lake, Michigan.

(522) (a) *Muskegon Lake West*. The waters of the southwest side of Muskegon Lake enclosed by a line beginning at

(523) 43°13'24"N., 86°19'18.5"W.; thence 145°T to

(524) 43°13'07.5"N., 86°19'02.5"W.; thence 230°T to

(525) 43°13'04"N., 86°19'08.5"W.; thence along the shoreline to the point of origin.

(526) (b) *Muskegon Lake East*. The waters of the southeast side of Muskegon Lake enclosed by a line beginning at latitude

(527) 43°14'04"N., 86°15'47"W.; thence 277°T to

(528) 43°14'06.5"N., 86°16'27"W.; thence 205°T to the shore; thence along the shoreline to the point of origin.

(529) **Note:** Administration of the Special Anchorage Area is exercised by the City of Muskegon pursuant to local ordinances.

(530)

§110.81a Lake Betsie, Frankfort, MI

(531) The area within the following boundaries:

(532) Beginning at

(533) 44°37'47"N, 86°13'52.5"W; thence to

(534) 44°37'51.4"N, 86°13'49"W; thence to

(535) 44°37'46.4"N, 86°13'37.8"W; thence to

(536) 44°37'44.8"N, 86°13'44.2"W; thence to point of beginning.

(537)

§110.82 Charlevoix Harbor, MI

(538) The waters on the north side of Round Lake northward of a line beginning at a point approximately 200 feet south of the north shore bearing 60°, 280 feet, from the northeast east corner of the Charlevoix Municipal Wharf, and bearing thence 92°, 400 feet, thence 129°, 1,160 feet, and thence 110° to the westerly end of the southwest side of Park Island.

(539)

§110.82a Little Traverse Bay, Lake Michigan, Harbor Springs, MI

(540) (a) *Area 1*. Beginning at

(541) 45°25'42.2"N., 84°59'07.5"W.; thence to

(542) 45°25'39.5"N., 84°59'09.0"W.; thence to

(543) 45°25'35.0"N., 84°59'07.0"W.; thence to

(544) 45°25'35.0"N., 84°58'55.2"W.; thence to

(545) 45°25'42.2"N., 84°58'56.5"W.; thence to point of beginning.

(546) (b) *Area 2*. Beginning at

(547) 45°25'42.2"N., 84°58'54.0"W.; thence to

(548) 45°25'35.0"N., 84°58'53.0"W.; thence to

(549) 45°25'35.0"N., 84°58'24.8"W.; thence to

(550) 45°25'36.1"N., 84°58'23.0"W.; thence to

(551) 45°25'42.2"N., 84°58'39.0"W., thence to point of beginning.

(552)

§110.83 Chicago Harbor, IL

(553) (a) *Grant Park North-A*. Beginning at a point 2,120 feet South of the Intersection of the North line of the Chicago Yacht Club bulkhead, as constructed in 1927, and the harbor line approved by the Department of the Army on August 3, 1940, along the West side of the harbor, said harbor line runs parallel to the overall alignment of said Grant Park bulkhead between its North and South ends, said intersection is approximately 800 feet South of the South face of the former Naval Armory

Dock, and 100 feet East of said bulkhead, that point being approximately on the harbor line; thence North along a straight line parallel to said harbor line and bulkhead, 1,705 feet to a point that is 100 feet East of said harbor line and 150 feet East of the Grant Park bulkhead; thence East at a right angle, 150 feet; thence North at a right angle, parallel to the first described line, passing 100 feet East of the Chicago Yacht Club bulkhead, 440 feet; thence Northeasterly 850 feet to a point 1,070 feet East of the aforesaid Grant Park bulkhead; thence Southeasterly 740 feet to a point 1,600 East of said harbor line; thence Southerly 1,960 feet to a point approximately 1,555 feet East of said harbor line and about 1,560 feet East of said Grant Park bulkhead; thence Southwesterly 295 feet to a point 1,180 feet due East, in a direction perpendicular to the West line hereof, from the point of beginning; and thence West to the point of beginning.

(554) (b) *Grant Part North-B*. Beginning at a point 145 feet North of the North line of the Chicago Yacht Club bulkhead, as constructed in 1927, and 320 feet East of the harbor line approved by the Department of the Army on August 3, 1940, along the West side of the harbor, said Chicago Yacht Club bulkhead extends due East, perpendicular to the Grant Park bulkhead's overall alignment between its North and South ends, said bulkhead runs parallel to the aforesaid harbor line and is approximately 800 feet South of the South face of the former Naval Armory Dock, said point is 20 feet East of the East face of the Chicago Park District jetty; thence North parallel to said jetty, 230 feet to a point 20 feet South of the South face of the Lake Shore Drive bulkhead, said bulkhead runs Easterly and Westerly in a curved direction; thence Easterly along a line parallel to said curved bulkhead to a point 20 feet Southwest and perpendicular to a line extended along the Southwest side of the Columbia Yacht Club pier to said curved bulkhead; thence Southeasterly parallel to said extended line, 160 feet; thence Southwesterly to the point of beginning.

(555) (c) *Grant Park North-C*. Beginning at a point 970 feet North of the North line of the Chicago Yacht Club bulkhead, as constructed in 1927, which extends due East and perpendicular from the harbor line approved by the Department of the Army on August 3, 1940, said Chicago Yacht Club bulkhead line is approximately 800 feet South of the South face of the former Naval Armory Dock, and 1,170 feet East of said harbor line, said point of beginning is 20 feet East of the East face of the Columbia Yacht Club pier and 20 feet South of the South face of a breakwater, which runs in an East and West direction; thence East along a line parallel to the South face of said East-West breakwater, 540 feet to a point 20 feet West of the West face of a breakwater, which runs in a North and South direction; thence South along a line parallel to the West face of said North-South breakwater, approximately 965 feet; thence Northwesterly to a point 20 feet Southeast and perpendicular to the Southeast side of the aforesaid Columbia Yacht Club pier; thence Northerly along a line parallel to the East face of said pier to the point of beginning.

(556) (d) *Grant Park South*. Beginning at a point 2,220 feet South of the intersection of the North line of the Chicago Yacht Club bulkhead, as constructed in 1927, and the harbor line approved by the Department of the Army on August 3, 1940, along the West side of the harbor, said harbor line runs parallel to the overall alignment of the Grant Park bulkhead between its North and South ends, said intersection is approximately 800 feet South of the South face of the former Naval Armory Dock, and 100 feet East of said Grant Park bulkhead, that point being approximately on the harbor line; thence East, perpendicular to the overall alignment of the Grant Park bulkhead, and perpendicular to said harbor line, 1,180 feet; thence Southeasterly 330 feet to a point 1,510 feet East of said Grant Park bulkhead and 225 feet South of an extension of the first described line; thence South perpendicular to the first described line, 220 feet; thence Southwesterly 2,375 feet along a line generally 100 feet Northwesterly from and parallel to the Northwesterly face of the narrow section of the U.S. Inner Breakwater; thence Northwesterly 100 feet to a point 150 feet East of said Grant Park bulkhead (or 100 feet East of the aforesaid harbor line), and 4,570 feet South of the North line of the aforesaid Chicago Yacht Club bulkhead; and thence North 2,350 feet of the point of beginning.

(557) **Note:** The Chicago Park District controls the location and type of any moorings placed in the special anchorage areas in this section.

(558)

§110.83a Cedar Point, Sandusky, OH.

(559) The water area enclosed by the break wall beginning at 41°28'13"N., 82°40'39"W.; thence along the break wall to 41°28'21"N., 82°40'53"W.; thence along a straight line southwesterly to 41°28'20"N., 82°40'55"W.; thence along the break wall to 41°28'33"N., 82°40'58"W.; thence along the shoreline to the point of beginning.

(560)

§110.84 Black Rock Channel opposite foot of Porter Avenue, Buffalo, New York.

(561) An area extending northwesterly between Black Rock Channel and Bird Island Pier opposite the foot of Porter Avenue, bounded as follows: Beginning at Triangulation Marker "N-5" on Bird Island Pier; thence southeasterly along the pier a distance of approximately 745 feet; thence 60°52' true, approximately 300 feet to a point 50 feet westerly of the westerly limit of Black Rock Channel; thence northwesterly along an arc of a circle parallel to and 50 feet westerly of the westerly limit of the channel to a point approximately 360 feet southerly of Bird Island Pier Light No. 17; thence 276°20' true, approximately 135 feet to Bird Island Pier; thence southwesterly and southerly along the pier a distance of approximately 1,355 feet to the point of beginning.

(562)

§110.84b Buffalo, NY.

(563) The area within the Port of Buffalo known as Port of Buffalo Small Boat Harbor commencing at a point on shore at 42°51'05"N., 78°51'55"W.; thence 240° to riprap dike thence following the dike to the shoreline; thence along the shoreline to the point of origin.

(564)

§110.85 Niagara River, Youngstown, NY.

(565) (a) *Area 1*. Beginning at a point at the intersection of the south line of Swain Street extended with the east shoreline of the Niagara River at 43°14'33"N., 79°03'7.5"W.; thence westerly to a point at 43°14'33"N., 79°03'9.5"W.; thence southerly to a point at 43°14'15.5"N., 79°03'10"W.; thence westerly to a point at 43°14'15.5"N., 79°03'17"W.; thence northerly to a point at 43°14'54.5"N., 79°03'14"W.; thence southeasterly to a point at 43°14'52.3"N., 73°03'09"W.; thence southerly to a point at 43°14'51.4"N., 73°03'09"W.; thence easterly to a point at 43°14'51.5"N., 79°03'6.5"W.; thence along the shoreline to the point of beginning.

(566) (b) *Area 2*. Beginning at a point at 43°14'53.2"N., 79°03'08"W.; thence northwesterly to a point at 43°14'56"N., 79°03'14"W.; thence northerly to a point at 43°15'07"N., 79°03'13"W.; thence northwesterly to a point at 43°15'9.5"N., 79°03'13.5"W.; thence southeasterly to a point at 43°15'7.5"N., 79°03'08"W.; thence southerly to the point of beginning.

(567) (c) *Area 3*. Beginning at a point at 43°15'7.9"N., 79°03'03"W.; thence westerly to a point at 43°15'7.9"N., 79°03'04"W.; thence northwesterly to a point at 43°15'11.8"N., 79°03'14"W.; thence northerly to a point at 43°15'14"N., 79°03'14"W.; thence northwesterly to a point at 43°15'22"N., 79°03'21.5"W.; thence northeasterly to a point at 43°15'25.5"N., 79°03'13"W.; thence along the shoreline to the point of beginning.

(568) **Note:** The Youngstown Harbor Commission controls the location, type, and assignment of moorings placed in the special anchorage areas in this section.

(569)

§110.86 Sodus Bay, NY.

(570) The water area in Sodus Bay, New York, south of Sand Point, two separate sections, enclosed by:

(571) (a) Eastern Section, beginning at a point on the shoreline at:

(572) 43°15'58.1"N., 076°58'34.0"W.; to

(573) 43°15'51.9"N., 076°58'33.5"W.; to

(574) 43°15'53.5"N., 076°58'47.5"W.; to

(575) 43°16'01.8"N., 076°58'43.0"W.; thence along the natural shoreline and structure to:

(576) 43°15'58.1"N., 076°58'34.0"W.

(577) (b) Western Section, beginning at a point on the shoreline at:

(578) 43°16'02.5"N., 076°58'45.0"W.; to

(579) 43°15'54.0"N., 076°58'50.0"W.; to

(580) 43°15'54.8"N., 076°59'00.1"W.; to

(581) 43°16'07.0"N., 076°58'47.0"W.; thence along the natural shoreline and structure to:

(582) 43°16'02.5"N., 076°58'45.0"W.

(583)

§110.87 Henderson Harbor, New York.

(584) (a) *Area A*. The area in the southern portion of Henderson Harbor west of the Henderson Harbor Yacht Club bounded by a line beginning at

(585) 43°51'08.8"N., 76°12'08.9"W.; thence to

(586) 43°51'09.0"N., 76°12'19.0"W.; thence to

(587) 43°51'33.4"N., 76°12'19.0"W.; thence to

(588) 43°51'33.4"N., 76°12'09.6"W.; thence to the point of beginning. All nautical positions are based on North American Datum of 1983.

(589) (b) *Area B*. The area in the southern portion of Henderson Harbor north of Graham Creek Entrance Light bounded by a line beginning at

(590) 43°51'21.8"N., 76°11'58.2"W.; thence to

(591) 43°51'21.7"N., 76°12'05.5"W.; thence to

(592) 43°51'33.4"N., 76°12'06.2"W.; thence to

(593) 43°51'33.6"N., 76°12'00.8"W.; thence to the point of beginning. All nautical positions are based on North American Datum of 1983.

(594)

Subpart B–Anchorage Grounds

(595)

§110.136 Lake Champlain, NY and VT.

(596) (a) *Burlington Harbor, VT*. (1) The waters bounded by a line connecting the following points:

(597) 44°28'26.9"N., 73°13'31.9"W.

(598) 44°28'26.4"N., 73°13'25.6"W.

(599) 44°28'22.0"N., 73°13'24.6"W.

(600) 44°28'12.0"N., 73°13'32.5"W.

(601) and thence along the breakwater to the point of the beginning. These positions have been converted to North American Datum 83.

(602) (2) No vessel greater than 35 feet in length may use this anchorage and no vessel may remain at anchor longer than 7 days in any period unless specifically permitted to do so by the City of Burlington, Harbormaster.

(603) (b) [Reserved]

(604)

§110.205 Chicago Harbor, IL

(605) (a) *The anchorage grounds*–(1) Anchorage A, exterior breakwater. Southwest of a line parallel with and 150 feet southwestward of the exterior breakwater; west of a line parallel with and 150 feet west of the south extension of the exterior breakwater; northeast of a line parallel with and 1,500 feet southwestward of the exterior breakwater; and east of a line parallel with the south extension of the exterior breakwater and 500 feet eastward of the east face of the filtration plant.

(606) (2) *Anchorage B, south arm*. West of a line parallel with and 150 feet west of the south arm of the exterior breakwater; north of a line perpendicular to the south arm

at its south end; east of a line parallel with the south arm, about 2,200 feet therefrom and on line with the east face of the Municipal Pier; and south of a line perpendicular to the south arm 700 feet from its north end.

(607) (3) *Anchorage C, shore arm*. South of a line parallel with and 150 feet southward of the shore arm of the exterior breakwater; west of a line parallel with the south extension of the exterior breakwater, 100 feet westward of the east end of the shore arm; northwest of a line perpendicular to the Lake Shore Drive revetment and 300 feet northwest of the northwest corner of the filtration plant; and east of a line parallel with and 600 feet lakeward of the Lake Shore Drive revetment.

(608) (4) *Anchorage D, Chicago Harbor Lock South*. Beginning at a point 35.5 feet South (16 feet South of the South face of the Southeast guide wall) and 28.0 feet West of the SE Guide Wall Light; thence Westerly and parallel to the guide wall 800 feet to a point that is 16 feet South of the South face of the Southeast guide wall; thence Southerly 80 feet to a point that is 96 feet South of the South face of the Southeast guide wall; thence Easterly 800 feet to a point that is 96 feet South of the south face of the southeast guide wall; thence Northerly 80 feet to the point of beginning.

(609) (5) *Anchorage E, Chicago Harbor Lock North*. Beginning at a point 156.75 feet North (16 feet North of the North face of the Northeast guide wall) and 590 feet West of the SE Guide wall Light; thence Westerly and parallel to the guide wall 600 feet to a point that is 16 feet North of the North face of the Northeast guide wall; thence Northerly 80 feet to a point that is 96 feet North of the North face of the Northeast guide wall; thence Easterly 600 feet to a point that is North of the North face of the Northeast guide wall; thence Southerly 80 feet to the point of beginning.

(610) (b) *The rules and regulations*. (1) Except in cases of emergency, no vessel may be anchored in Chicago Harbor outside of the anchorage grounds in paragraph (a) of this section or the special anchorage areas prescribed in §110.83.

(611) (2) Anchors must not be placed outside the anchorage areas, nor shall any vessel be so anchored that any portion of the hull or rigging shall at any time extend outside the boundaries of the anchorage area.

(612) (3) Any vessel anchoring under circumstances of great emergency outside of the anchorage areas must be placed near the edge of the channel and in such position as not to interfere with the free navigation of the channel nor obstruct the approach to any pier nor impede the movement of any boat, and shall move away immediately after the emergency ceases, or upon notification by the Captain of the Port.

(613) (4) The maneuvering of a vessel by means of a dragged anchor, except within an established anchorage ground or in stress of weather or to avoid collision, is prohibited. Unnecessary maneuvering in any of the anchorage grounds is prohibited.

(614) (5) The directions of the Captain of the Port assigning vessels to parts of the anchorage grounds suitable to their draft, requiring vessels to anchor bow and stern, requiring shifting the anchorage of any vessel within any anchorage ground for the common convenience, or for otherwise enforcing this section, shall be promptly executed by owners, masters, and persons in charge of vessels.

(615) (6) Nothing in this section shall be construed as relieving the owner or person in charge of any vessel from the penalties of the law for obstructing navigation or for obstructing or interfering with range lights, or for not complying with the navigation laws in regard to lights, fog signals, or for otherwise violating law.

(616) (7) No vessel may use anchorages A, B, D, and E except commercial vessels operated for profit. No person may place floats or buoys for marking moorings or anchors in place in anchorages A and B. No person may place fixed mooring piles or stakes in anchorages A and B. (Mooring facilities are available adjacent to the lakeside guide walls of the Chicago Harbor Lock in anchorages D and E.) All vessels using anchorages D and E shall moor against pile clusters adjacent to the respective anchorage.

(617) Any time barges are moored in anchorage D or E, a manned towing vessel shall be present in one of these anchorages. Exceptions to this surveillance requirement are allowable for periods not to exceed one hour.

(618) (8) No commercial vessels operated for profit that measure 50 gross tons or more may anchor in anchorage C. Temporary floats or buoys for marking moorings or anchors in place may be used in anchorage C. No person may place a fixed mooring pile or stake in anchorage C.

(619)

§110.206 Detroit River, Michigan.

(620) (a) *The Anchorage grounds*. Belle Isle Anchorage. The area is in the Detroit River immediately downstream from Belle Isle on the U.S. side of the International Boundary line within the following boundaries: beginning at a point bearing 250°T, 5,400 feet from the James Scott Memorial Fountain (42°20'06"N., 82°59'57"W.) at the West end of Belle Isle; then 251°T, 3000 feet; thence 341°T, 800 feet; thence 071°T, 3,000 feet; thence 161°T, 800 feet to the point of beginning.

(621) (b) *The regulations*. (1) Vessels shall be anchored so as not to swing into the channel or across steering courses.

(622) (2) The Belle Isle Anchorage area is for the temporary use of vessels of all types, but especially for naval and merchant vessels awaiting berths, weather, or other conditions favorable to the resumptions of their voyage.

(623) (3) No vessel may be anchored unless it maintains a continuous bridge watch, guards and answers channel 16 FM and channel 12 FM (VTC SARNIA sector frequency), maintains an accurate position plot and can take appropriate action to ensure the safety of the vessel, structures and other vessels.

(624) (4) Vessels may not anchor in the Belle Isle Anchorage for more than 72 hours without permission of the Captain of the Port of Detroit.

(625)

§110.207 Cleveland Harbor, OH.

(626) (a) *The anchorage grounds*–(1) West anchorage. The northwesterly portion of the West Basin between the northwest limits of the West Basin and a line parallel to and 1,050 feet distant from the West Breakwater; and from the southwest limits of the West Basin to a line perpendicular to the West Breakwater, 2,050 feet southwesterly along the West Breakwater from Cleveland West Breakwater Light.

(627) (2) *East anchorage*. The southeasterly portion of the East Basin between the mainland and a line parallel to and 1,250 feet distant from the East Breakwater; from opposite Cleveland East Entrance Light to a due north line passing through the flashing white light on the Allied Oil Company dock.

(628) (3) *Explosives anchorage*. In Lake Erie, northwest of Cleveland Harbor East Breakwater, and including a rectangular area marked by four white spar buoys at the following true bearings and distances from Cleveland East Pierhead Light: 38°30', 2,050 feet; 68°, 2,050 feet; 57°, 7,050 feet; and 49°, 7,050 feet.

(629) (b) *The regulations*. (1) The west and east anchorages are general anchorages.

(630) (2) Use of the explosives anchorage shall be subject to the supervision of the Captain of the Port.

(631)

§110.208 Buffalo Harbor, NY.

(632) (a) *The anchorage grounds*–(1) *Explosives Anchorage A*. Inside the south section of the main breakwater 700 feet wide starting at a point 500 feet southerly from the south end of the north section and extending approximately 153° true 3,000 feet parallel to the line of the south section of the main breakwater.

(632.001)

§110.209 Saint Lawrence Seaway Anchorages, New York.

(632.002) (a) *Carleton Island Anchorage; Saint Lawrence River, Cape Vincent, New York*—(1) *Carleton Island Anchorage Area*. The waters bounded by a line connecting the following points, beginning at 44°11'57.11"N, 076°14'04.62"W; thence to 44°11'21.80"N, 076°14'05.77"W; thence to 44°11'34.07"N, 076°15'49.57"W; 44°11'35.35"N, 076°16'47.50"W; 44°11'43.49"N, 076°16'48.00"W; 44°11'57.11"N, 076°14'04.62"W and back to the beginning point. These coordinates are based on WGS 84.

(632.003) (2) *Tibbett's Island Anchorage Area*. The waters bounded by a line connecting the following points, beginning at 44°05'20.27"N, 076°23'25.78"W; thence to 44°05'21.85"N, 076°22'40.97"W; thence to 44°04'34.08"N, 076°23'09.98"W; 44°04'07.72"N, 076°23'33.76"W; 44°04'32.78"N, 076°24'43.80"W; 44°05'44.37"N, 076°23'56.29"W; 44°05'20.27"N, 076°23'25.78"W and back to the beginning point. These coordinates are based on WGS 84.

(632.004) (b) *The regulations*. (1) Anchors must not be placed in the Saint Lawrence Seaway shipping channel. No portion of the hull or rigging may extend outside the limits of the anchorage area.

(632.005) (2) No vessel may occupy any general anchorage described in paragraph (a) of this section for a period longer than 10 days unless approval is obtained from the Captain of the Port Buffalo (COTP) for that purpose.

(632.006) (3) The COTP, or authorized representative, may require vessels to depart from the Anchorages described in paragraph (a) of this section before the expiration of the authorized or maximum stay. The COTP, or authorized representative, will provide at least 12-hour notice to a vessel required to depart the anchorages.

(633)

Part 117–Drawbridge Operation Regulations

(634)

Subpart A–General Requirements

(635)

§117.1 Purpose.

(636) (a) This part prescribes the general and special drawbridge operating regulations that apply to the drawbridges across the navigable waters of the United States and its territories. The authority to regulate drawbridges across the navigable waters of the United States is vested in the Secretary of Homeland Security.

(637) (b) Subpart A contains the general operation requirements that apply to all drawbridges.

(638) (c) Subpart B contains specific requirements for operation of individual drawbridges. These requirements are in addition to or vary from the general requirements in Subpart A. Specific sections in subpart B that vary from a general requirement in Subpart A supersede the general requirement. All other general requirements in Subpart A, that are not at variance, apply to the drawbridges and removable span bridges listed in Subpart B.

(639)

§117.4 Definitions.

(640) The following definitions apply to this part:

(641) *Appurtenance* means an attachment or accessory extending beyond the hull or superstructure that is not an integral part of the vessel and is not needed for a vessel's piloting, propelling, controlling, or collision avoidance capabilities.

(642) *Automated drawbridge* means a drawbridge that is operated by an automated mechanism, not a drawtender. An automated drawbridge is normally kept in the open to navigation position and closes when the mechanism is activated.

(643) *Deviation* means a District Commander's action authorizing a drawbridge owner to temporarily not comply with the drawbridge opening requirements in this part.

(644) *Drawbridge* means a bridge with an operational span that is intended to be opened for the passage of waterway traffic.

(645) *Drawspan* means the operational span of a drawbridge.

(646) *Lowerable* means a non-structural vessel appurtenance that is or can be made flexible, hinged, collapsible, or telescopic so that it can be mechanically or manually lowered.

(647) *Nonstructural* means that the item is not rigidly fixed to the vessel and can be relocated or altered.

(648) *Not essential to navigation* means that a nonstructural vessel appurtenance, when in the lowered position, would not adversely affect the vessel's piloting, propulsion, control, or collision-avoidance capabilities.

(649) *Public vessel* means a vessel that is owned and operated by the United States Government and is not engaged in commercial service, as defined in 46 U.S.C. 2101.

(650) *Remotely operated drawbridge* means a drawbridge that is operated by remote control from a location away from the drawbridge.

(651) *Removable span bridge* means a bridge that requires the complete removal of a span by means other than machinery installed on the bridge to open the bridge to navigation.

(652) *Untended* means that there is no drawtender at the drawbridge.

(653)

§117.5 When the drawbridge must open.

(654) Except as otherwise authorized or required by this part, drawbridges must open promptly and fully for the passage of vessels when a request or signal to open is given in accordance with this subpart.

(655)

§117.7 General requirements of drawbridge owners.

(656) Except for drawbridges that have been authorized, before January 3, 2007, to remain closed to navigation or as otherwise specified in subpart B, drawbridge owners must:

(657) (a) Provide the necessary drawtender(s) for the safe and prompt opening of the drawbridge.

(658) (b) Maintain the working machinery of the drawbridge in good operating condition.

(659) (c) Cycle the drawspan(s) periodically to ensure operation of the drawbridge.

(660) (d) Ensure that the drawbridge operates in accordance with the requirements of this part.

(661) (e) Any drawbridge allowed to remain closed to navigation prior to January 3, 2007, when necessary, must be returned to operable condition within the designated time set forth by the District Commander and will become subject to the requirements of this part.

(662)

§117.8 Permanent changes to drawbridge operation.

(663) (a) Anyone may submit a written request to the District Commander for a permanent change to a drawbridge operating requirement. The request must include documentation supporting or justifying the requested change.

(664) (b) If after evaluating the request, the District Commander determines that the requested change is not needed, he or she will respond to the request in writing and provide the reasons for denial of the requested change.

(665) (c) If the District Commander decides that a change may be needed, he or she will begin a rulemaking to implement the change.

(666)

§117.9 Delaying opening of a draw.

(667) No person shall unreasonably delay the opening of a draw after the signals required by §117.15 have been given.

(668) **Note:** Trains are usually controlled by the block method. That is, the track is divided into blocks or segments of a mile or more in length. When a train is in a block with a drawbridge, the draw may not be able to open until the train has passed out of the block and the yardmaster or other manager has "unlocked" the drawbridge controls. The maximum time permitted for delay is defined in Subpart B for each affected bridge. Land and water traffic should pass over or through the draw as soon as possible in order to prevent unnecessary delays in the opening and closure of the draw.

(669)

§117.11 Unnecessary opening of the draw.

(670) No vessel owner or operator shall -

(671) (a) Signal a drawbridge to open if the vertical clearance is sufficient to allow the vessel, after all lowerable nonstructural vessel appurtenances that are not essential to navigation have been lowered, to safety pass under the drawbridge in the closed position; or

(672) (b) Signal a drawbridge to open for any purpose other than to pass through the drawbridge opening.

(673)

§117.15 Signals.

(674) (a) *General*. (1) The operator of each vessel requesting a drawbridge to open shall signal the drawtender and the drawtender shall acknowledge that signal. The signal shall be repeated until acknowledged in some manner by the drawtender before proceeding.

(675) (2) The signals used to request the opening of the draw and to acknowledge that request shall be sound signals, visual signals, or radiotelephone communications described in this subpart.

(676) (3) Any of the means of signaling described in this subpart sufficient to alert the party being signaled may be used.

(677) (b) *Sound signals*. (1) Sound signals shall be made by whistle, horn, megaphone, hailer, or other device

capable of producing the described signals loud enough to be heard by the drawtender.

(678) (2) As used in this section, "prolonged blast" means a blast of four to six seconds duration and "short blast" means a blast of approximately one second duration.

(679) (3) The sound signal to request the opening of a draw is one prolonged blast followed by one short blast sounded not more than three seconds after the prolonged blast. For vessels required to be passed through a draw during a scheduled closure period, the sound signal to request the opening of the draw during that period is five short blasts sounded in rapid succession.

(680) (4) When the draw can be opened immediately, the sound signal to acknowledge a request to open the draw is one prolonged blast followed by one short blast sounded not more then 30 seconds after the requesting signal.

(681) (5) When the draw cannot be opened immediately, or is open and shall be closed promptly, the sound signal to acknowledge a request to open the draw is five short blasts sounded in rapid succession not more than 30 seconds after the vessel's opening signal. The signal shall be repeated until acknowledged in some manner by the requesting vessel.

(682) (c) *Visual signals*. (1) The visual signal to request the opening of a draw is–

(683) (i) A white flag raised and lowered vertically; or

(684) (ii) A white, amber, or green light raised and lowered vertically.

(685) (2) When the draw can be opened immediately, the visual signal to acknowledge a request to open the draw, given not more than 30 seconds after the vessel's opening signal, is -

(686) (i) A white flag raised and lowered vertically;

(687) (ii) A white, amber, or green light raised and lowered vertically, or

(688) (iii) A fixed or flashing white, amber, or green light or lights.

(689) (3) When the draw cannot be opened immediately, or is open and must be closed promptly, the visual signal to acknowledge a request to open the draw is -

(690) (i) A red flag or red light swung back and forth horizontally in full sight of the vessel given not more than 30 seconds after the vessel's opening signal; or

(691) (ii) A fixed or flashing red light or lights given not more than 30 seconds after the vessel's opening signal.

(692) (4) The acknowledging signal when the draw cannot open immediately or is open and must be closed promptly shall be repeated until acknowledged in some manner by the requesting vessel.

(693) (d) *Radiotelephone communications*. (1) Radiotelephones may be used to communicate the same information provided by sound and visual signals.

(694) (2) The vessel and the drawtender shall monitor the frequency used until the vessel has cleared the draw.

(695) (3) When radiotelephone contact cannot be initiated or maintained, sound or visual signals under this section shall be used.

(696)

§117.17 Signaling for contiguous drawbridges.

(697) When a vessel must pass two or more drawbridges close together, the opening signal is given for the first bridge. After acknowledgment from the first bridge that it will promptly open, the opening signal is given for the second bridge, and so on until all bridges that the vessel must pass have been given the opening signal and have acknowledged that they will open promptly.

(698)

§117.19 Signaling when two or more vessels are approaching a drawbridge.

(699) When two or more vessels are approaching the same drawbridge at the same time, or nearly the same time, whether from the same or opposite directions, each vessel shall signal independently for the opening of the draw and the drawtender shall reply in turn to the signal of each vessel. The drawtender need not reply to signals by vessels accumulated at the bridge for passage during a scheduled open period.

(700)

§117.21 Signaling for an opened drawbridge.

(701) When a vessel approaches a drawbridge with the draw in the open position, the vessel shall give the opening signal. If no acknowledgment is received within 30 seconds, the vessel may proceed, with caution, through the open draw.

(702)

§117.23 Installation of radiotelephones.

(703) (a) When the District Commander deems it necessary for reasons of safety of navigation, the District Commander may require the installation and operation of a radiotelephone on or near a drawbridge.

(704) (b) The District Commander gives written notice of the proposed requirement to the bridge owner.

(705) (c) All comments the owner wishes to submit shall be submitted to the District Commander within 30 days of receipt of the notice under paragraph (b) of this section.

(706) (d) If, upon consideration of the comments received, the District Commander determines that a radiotelephone is necessary, the District Commander notifies the bridge owner that a radiotelephone shall be installed and gives a reasonable time, not to exceed six months, to install the radiotelephone and commence operation.

(707)

§117.24 Radiotelephone installation identification.

(708) (a) The Coast Guard authorizes, and the District Commander may require the installation of a sign on drawbridges, on the upstream and downstream sides, indicating that the bridge is equipped with and operates a VHF radiotelephone in accordance with §117.23.

(709) (b) The sign shall give notice of the radiotelephone and its calling and working channels–

(710) (1) In plain language; or

(711) (2) By a sign consisting of the outline of a telephone handset with the long axis placed horizontally and a vertical three-legged lightning slash superimposed over

the handset. The slash shall be as long vertically as the handset is wide horizontally and normally not less than 27 inches and no more than 36 inches long. The preferred calling channel should be shown in the lower left quadrant and the preferred working channel should be shown in the lower right quadrant.

(712)

§117.31 Drawbridge operations for emergency vehicles and emergency vessels.

(713) (a) Upon receiving notification that an emergency vehicle is responding to an emergency situation, a drawtender must make all reasonable efforts to have the drawspan closed at the time the emergency vehicle arrives.

(714) (b) When a drawtender receives notice, or a proper signal as provided in §117.15 of this part, the drawtender shall take all reasonable measures to have the draw opened, regardless of the operating schedule of the draw, for passage of the following, provided this opening does not conflict with local emergency management procedures which have been approved by the cognizant Coast Guard Captain of the Port:

(715) (1) Federal, State, and local government vessels used for public safety;

(716) (2) Vessels in distress where a delay would endanger life or property;

(717) (3) Commercial vessels engaged in rescue or emergency salvage operations; and

(718) (4) Vessels seeking shelter from severe weather.

(719)

§117.33 Closure of draw for natural disasters or civil disorders.

(720) Drawbridges need not open for the passage of vessels during periods of natural disasters or civil disorders declared by the appropriate authorities unless otherwise provided for in Subpart B or directed to do so by the District Commander.

(721)

§117.35 Temporary change to a drawbridge operating schedule.

(722) (a) For any temporary change to the operating schedule of a drawbridge, lasting less than or equal to 180 days, the District Commander may issue a deviation approval letter to the bridge owner and publish a "Notice of temporary deviation from regulations" in the **Federal Register**.

(723) (b) If the time period for a temporary change to the operating schedule of a drawbridge will be greater then 180 days, the District Commander will follow appropriate rulemaking procedures and publish a temporary rule in the **Federal Register** prior to the start of the action.

(724) (c) *Request for change*. (1) To temporarily change the drawbridge-operating requirements the bridge owner must submit a written request to the District Commander for approval of the change.

(725) (2) The request must describe the reason for the deviation and the dates and times scheduled for the start and end of the change.

(726) (3) Requests should be submitted as early as possible, preferably 90 days before the start of the action. District Commanders have discretion to accept requests submitted less than 90 days before a needed change if those requests can be processed before the date of the needed change.

(727) (d) *Determination*. The District Commander's determination to allow the schedule change is normally forwarded to the bridge owner within ten working days after receipt of the request. If the request is denied, the reasons for the denial will be set out in the District Commander's decision letter.

(728) (e) The drawbridge must return to its regular operating schedule immediately at the end of the designated time period.

(729) (f) If the authorized deviation period for an event is broken into separate time periods on the same day or on consecutive days, the drawbridge must provide openings for navigation between authorized schedule changes.

(730) (g) The District Commander will also announce the change to the operating schedule in the Local Notice to Mariners and other appropriate local media.

(731)

§117.36 Closure of drawbridge for emergency repair.

(732) (a) When a drawbridge unexpectedly becomes inoperable, or should be immediately rendered inoperable because of mechanical failure or structural defect, the drawbridge owner must notify the District Commander of the closure without delay and give the reason for the emergency closure of the drawbridge and an estimated time when the drawbridge will be returned to operating condition.

(733) (b) The District Commander will notify mariners about the drawbridge status through Broadcast Notices to Mariners, Local Notice to Mariners and any other appropriate local media.

(734) (c) Repair work under this section must be performed with all due speed in order to return the drawbridge to operation as soon as possible.

(735)

§117.39 Authorized closure of drawbridge due to infrequent requests for openings.

(736) (a) When there have been no requests for drawbridge openings for at least two years, a bridge owner may request in writing that the District Commander authorize the drawbridge to remain closed to navigation and to be untended.

(737) (b) The District Commander may:

(738) (1) Authorize the closure of the drawbridge;

(739) (2) Set out any conditions in addition to the requirement in paragraph (d): and

(740) (3) Revoke an authorization and order the drawbridge returned to operation when necessary.

(741) (c) All drawbridges authorized to remain closed to navigation, under this section, must be maintained in operable condition.

(742) (d) Authorization under this section does not:

(743) (1) Authorize physical changes to the drawbridge structure, or

(744) (2) Authorize removal of the operating machinery.

(745) (e) Drawbridges authorized under this section to remain closed to navigation and to be untended are identified in subpart B of this part.

(746)

§117.40 Advance notice for drawbridge opening.

(747) (a) Upon written request by the owner of a drawbridge, the District Commander may authorize a drawbridge to operate under an advance notice for opening. The drawbridge tender, after receiving the advance notice, must open the drawbridge at the requested time and allow for a reasonable delay in arrival of the vessel giving the advance notice.

(748) (b) If the request is approved, a description of the advanced notice for the drawbridge will be added to subpart B of this part.

(749)

§117.41 Maintaining drawbridges in the fully open position.

(750) (a) Drawbridges permanently maintained in the fully open to navigation position may discontinue drawtender service as long as the drawbridge remains fully open to navigation. The drawbridge must remain in the fully open position until drawtender service is restored.

(751) (b) If a drawbridge is normally maintained in the fully open to navigation position, but closes to navigation for the passage of pedestrian, vehicular, rail, or other traffic, the drawbridge must be tended unless:

(752) (1) Special operating requirements are established in subpart B of this part for that drawbridge; or

(753) (2) The drawbridge is remotely operated or automated.

(754)

§117.42 Remotely operated and automated drawbridges.

(755) (a) Upon written request by the owner of a drawbridge, the District Commander may authorize a drawbridge to operate under an automated system or from a remote location.

(756) (b) If the request is approved, a description of the full operation of the remotely operated or automated drawbridge will be added to subpart B of this part.

(757)

§117.47 Clearance gauges.

(758) (a) Clearance gauges are required for drawbridges across navigable waters of the United States discharging into the Atlantic Ocean south of Delaware Bay (including the Lewes and Rehoboth Canal, DE) or into the Gulf of Mexico (including coastal waterways contiguous thereto and tributaries to such waterways and the lower Atchafalaya River, LA), except the Mississippi River and its tributaries and outlets.

(759) (b) Except for provisions in this part which specify otherwise for particular drawbridges, clearance gauges shall be designed, installed, and maintained according to the provisions of 33 CFR 118.160 (not carried in this Coast Pilot).

(760) **Note:** Clearance gauge requirements, if any, for drawbridges other than those referred to in this section are listed in Subpart B under the appropriate bridge.

(761)

§117.49 Process of violations.

(762) (a) Complaints of alleged violations under this part are submitted to the District Commander of the Coast Guard District in which the drawbridge is located.

(763) (b) Penalties for violations under this part are assessed and collected under Subpart 1.07 of Part 1 of this chapter (not published in this Coast Pilot; see **33 CFR 1.07**).

(764)

Subpart B–Specific Requirements

(765)

§117.51 General.

(766) The drawbridges in this subpart are listed by the state in which they are located and by the waterway they cross. Waterways are arranged alphabetically by state. The drawbridges listed under a waterway are generally arranged in order from the mouth of the waterway moving upstream. The drawbridges on the Atlantic Intracoastal Waterway are listed from north to south and on the Gulf Intracoastal Waterway from east to west.

(767)

§117.55 Posting of requirements.

(768) (a) The owner of each drawbridge under this subpart, other than removable span bridges, must ensure that a sign summarizing the requirements in this subpart applicable to the drawbridge is posted both upstream and downstream of the drawbridge. The requirements to be posted need not include those in Subpart A or §§117.51 through 117.59 of this part.

(769) (b) The signs shall be of sufficient size and so located as to be easily read at any time from an approaching vessel.

(770) (c) If advance notice is required to open the draw, the signs shall also state the name, address, and telephone number of the person to be notified.

(771)

§117.59 Special requirements due to hazards.

(772) For the duration of occurrences hazardous to safety or navigation, such as floods, freshets, and damage to the bridge or fender system, the District Commander may require the owner of an operational drawbridge listed in this subpart to have the bridge attended full time and open on signal.

(773)

§117.389 Calumet River.

(774) The draws of the Norfolk Southern railroad bridges, miles 1.32 and 1.36 at Chicago, operate as follows:

(775) (a) The draws shall open on signal; except that, if either one of the bridges is inoperable because of equipment breakdown, the other bridge need not be opened.

(776) (b) In addition to the signals prescribed in §117.15, the following special visual signals shall be used on the bridges:

(777) (1) When the draw cannot be opened immediately, or is open and must be closed promptly, two red lights are flashed alternately.

(778) (2) When the draw can be opened immediately, two amber lights are flashed alternately.

(779) (3) When the draw is open for passage, two green lights are flashed alternately.

(780)

§117.391 Chicago River.

(781) The draws of the bridges operated by the City of Chicago over the Main Branch of Chicago River, the bridges on the North Branch of Chicago River from the Main Branch to North Halsted Street, Mile 2.65, and bridges on the South Branch of Chicago River from the Main Branch to South Ashland Avenue, Mile 4.47, shall operate as follows:

(782) (a) For commercial vessels, all bridges shall open on signal if at least 12-hours advance notice is provided to the Chicago City Bridge Desk prior to the intended time of passage; except that, from Monday through Friday between the hours of 7 a.m. and 9:30 a.m., and between the hours of 4 p.m. and 6:30 p.m., except for Federal holidays, the draws need not open for the passage of vessels.

(783) (b) For recreational vessels:

(784) (1) From April 1 through November 30–

(785) (i) The draws shall be scheduled to open, before 1 p.m., twice on Saturdays and twice on Sundays if requests for passage have been received at least 20 hours in advance. If the bridges have been authorized to remain closed for portions of a Saturday or Sunday to accommodate special events, openings shall be scheduled after 1 p.m. as necessary to provide two openings per day.

(786) (ii) The draws shall open on Monday and Friday, after 6:30 p.m. Each opening requires notice that has been given at least 6 hours in advance of a vessel's requested time of passage.

(787) (iii) The draws shall open on Wednesdays at 10 a.m., or as soon thereafter as practical, if a request for passage has been given at least 20 hours in advance.

(788) (iv) The draws shall open at times in addition to those listed in paragraphs (b)(1)(i) through (b)(1)(iii) of this section, after notice has been given at least 20 hours in advance requesting passage for a flotilla of at least five vessels. However, the bridges need not open Monday through Friday from 7 a.m. to 9:30 a.m., and 4 p.m. to 6:30 p.m., except for Federal holidays.

(789) (2) From December 1 through March 31, the draws shall open on signal if at least 48 hours notice is given. However, the bridges need not open Monday through Friday from 7 a.m. to 9:30 a.m., and 4 p.m. to 6:30 p.m., except for Federal holidays.

(790) (c) The following bridges need not be opened for the passage of vessels: The draws of South Damen Avenue, Mile 6.14, over South Branch of Chicago River; all highway drawbridges between South Western Avenue, Mile 6.7, and Willow Springs Road, Mile 19.4, over Chicago Sanitary and Ship Canal; North Halsted Street, Mile 2.85, and Division Street, Mile 2.99, over North Branch Canal of Chicago River; and Division Street, Mile 3.30, North Avenue, Mile 3.81, Cortland Avenue, Mile 4.48, Webster Avenue, Mile 4.85, North Ashland Avenue, Mile 4.90, and Union Pacific Railroad, Mile 5.01, over North Branch of Chicago River.

(791)

§117.393 Illinois Waterway.

(792) (a) The draw of the automated Burlington Northern Santa Fe railroad bridge, Mile 88.8 at Beardstown, Illinois, operates as follows:

(793) (1) The draw is normally maintained in the fully open position, displaying a green light to indicate that vessels may pass.

(794) (2) When a vessel is approaching and the draw is in the open position, contact shall be established by radiotelephone with the remote operator to assure that the draw remains open until passage is complete.

(795) (3) When a vessel is approaching and the draw is in the closed position, contact shall be established by radiotelephone with the remote operator. If the draw cannot be opened immediately, alternate flashing red lights are displayed. If the draw can be opened immediately, flashing amber lights are displayed.

(796) (4) When a train approaches the bridge and the draw is in the open position, the operator shall activate alternate flashing red lights on top of the draw, sound four short blasts, and scan the river on radar to determine whether any vessel is approaching the bridge. The remote operator shall also broadcast that the draw is closing. If a vessel or vessels are approaching the bridge within one mile, as determined by radar scanning, response to radio broadcast, or electronic detector, the flashing red lights shall be changed to flashing amber and the operator shall keep the draw in the fully open position until the vessel or vessels have cleared the bridge. If no vessel is approaching the bridge or is beneath the draw, the draw may be lowered and locked in place.

(797) (5) After the train has cleared the bridge, the draw shall be raised to its full height and locked in place, the red flashing lights stopped, and the draw lights changed from red to green.

(798) (b) The draw of the Chessie Railroad Bridge, mile 254.1, at Seneca, Illinois, operates as follows:

(799) (1) The draw is normally maintained in the fully open position, displaying green mid-channel lights to indicate the span is fully open.

(800) (2) When a train approaches the bridge and the draw is in the open position, the train will stop, train operator shall walk out on the bridge and scan the river for approaching vessels.

(801) (3) If a vessel is approaching the bridge, the draw will remain open. The vessel shall contact the train operator on VHF-FM channel 16 and the train operator shall keep the draw in the fully open position until the vessel has cleared the bridge.

(802) (4) If no vessels are observed, the train operator initiates a five minute warning period on VHF-FM radio channel 16 before closing the bridge. The train operator will broadcast the following message: "The Chessie Railroad Bridge at Mile 254.1, Illinois River, will close to navigation in five minutes." The announcement is repeated every minute counting down the time remaining until closure.

(803) (5) At the end of the five minute warning period, and if no vessels are approaching the bridge, the train operator shall sound the siren for 10 seconds, activate the alternate flashing red lights on top of the draw, then lower and lock the draw in place. Red lights shall continue to flash to indicate the draw is closed to navigation.

(804) (6) After the train has cleared the bridge, the draw shall be raised to its full height and locked in place, the red flashing lights stopped, and the draw lights changed from red to green.

(805) (c) The draws of the McDonough Street Bridge, Mile 287.3; Jefferson Street bridge, Mile 287.9; Cass Street bridge, Mile 288.1; Jackson Street bridge, Mile 288.4; and Ruby Street bridge, Mile 288.7; all at Joliet, shall open on signal, except that they need not open from 7:30 a.m. to 8:30 a.m. and from 4:15 p.m. to 5:15 p.m. Monday through Saturday.

(806) (d) The drawspan of the Elgin, Joliet and Eastern Railway bridge, Mile 290.1 at Lockport, Illinois, is operated by remote operator located at the Elgin, Joliet and Eastern offices in Homewood, Illinois as follows:

(807) (1) The drawspan is normally maintained in the fully open to navigation position displaying green center span navigation lights to indicate that the drawspan is fully open.

(808) (2) The bridge is equipped with the following:

(809) (i) A radiotelephone link direct to the remote operator;

(810) (ii) A radar antenna on top of the drawspan capable of scanning the river, one mile upstream and one mile downstream;

(811) (iii) Infrared boat detectors under the drawspan, to allow the remote bridge operator to detect vessels under the drawspan;

(812) (iv) Electronic motion detectors under the drawspan to allow the remote bridge operator to detect vessel movement under the drawspan;

(813) (v) A siren for sound signals; and

(814) (iv) Red and green center span navigation lights.

(815) (3) The remote bridge operator shall maintain a 24 hour VHF marine radio watch for mariners to establish contact as they approach the bridge to ensure that the drawspan is open or that it remains open until passage of river traffic is complete.

(816) (4) When rail traffic approaches the bridge, and the drawspan is in the open position, the remote bridge operator initiates a one minute warning period before closing the drawspan. During this warning period, the remote operator shall broadcast at least twice, via marine radio, that: "The drawspan of the EJ and E Railroad bridge will be lowered in one minute." A siren on the bridge sounds for 20 seconds, to warn anyone on or under bridge that the drawspan will be lowered.

(817) (5) If a vessel is approaching the bridge upbound or, departing the Lockport Lock and Dam at Mile 291.1, downbound, with intentions of passing through the drawspan, they shall respond to the remote bridge operators marine radio broadcast, or initiate radio contact, indicating their proximity to the bridge and requesting an opening of the drawspan or that the drawspan remain open until the vessel passes. If any approaching vessel is detected or if a radiotelephone response is received, the remote operator shall not close the drawspan until the vessel or vessels have cleared the bridge.

(818) (6) At the end of the one minute warning period, if no river traffic is approaching or under the drawspan, the remote bridge operator may begin lowering the drawspan. Navigation lights located at the center of the drawspan change from green to red when the drawspan is not in the fully open to navigation position. The drawspan takes approximately 90 seconds to lower.

(819) (7) If the presence of a vessel or other obstruction is discovered approaching or under the drawspan, during the lowering sequence, before the drawspan is fully lowered and locked, the drawspan shall be stopped and raised to the fully open position. When the vessel or obstruction has cleared the drawspan, the remote operator shall confirm that the channel is clear and reinitiate the one minute warning cycle before lowering the drawspan.

(820) (8) If no marine traffic is present the drawspan may be lowered and seated. When the drawspan is lowered and locked in the closed to navigation position, the remote bridge operator periodically broadcasts, via marine radio, that: "The drawspan of the EJ and E Railroad bridge is closed to navigation."

(821) (9) Failure of the radar system, radio telephone system, infrared boat detectors or electronic motion sensors shall prevent lowering the drawspan from the remote location.

(822) (10) When rail traffic has cleared the bridge, the remote bridge operator shall raise the drawspan to the fully open to navigation position. When the drawspan is raised and in the fully open to navigation position, the remote bridge operator broadcast, at least twice, via marine radio, that: "The drawspan of the EJ and E Railroad bridge is open to navigation." The center drawspan navigation

lights change from red to green when the drawspan is fully open to navigation.

(823)

§117.401 Trail Creek.

(824) (a) The draw of the Franklin Street bridge, Mile 0.5 at Michigan City, shall be operated as follows:

(825) (1) From March 16 through November 30, the draw shall open on signal; except from 6:15 a.m. to 11:15 p.m., Monday through Sunday, the draw need open only from three minutes before to three minutes after the quarter-hour and three-quarter hour.

(826) (2) From December 1 through March 15, the draw shall open on signal if at least 12-hours advance notice is provided prior to intended time of passage.

(827) (b) The draw of the Amtrak bridge, Mile 0.9 at Michigan City, shall open on signal; except, from December 1 through March 15, the bridge shall open on signal if at least 12-hours advance notice is provided prior to intended time of passage.

(828) (c) Public vessels of the United States, state or local vessels used for public safety, vessels in distress, and vessels seeking shelter from severe weather shall be passed through the draws of each bridge as soon as possible.

(829)

§117.624 Black River (South Haven)

(830) The draw of the Dyckman Avenue bridge, Mile 1.9 at South Haven, shall open as follows:

(831) (a) From May 1 through October 14–

(832) (1) From 7 a.m. to 11 p.m., seven days a week the draw need open only on the hour and half-hour; however, Mondays through Fridays the draw need not open at 12 noon and 1 p.m. Commercial vessels shall be passed through the draw of this bridge as soon as possible even though this regulated period is in effect.

(833) (2) From 11 p.m. to 7 a.m., no bridgetender is required to be in continuous attendance at the bridge and the draw shall open on signal for the commercial vessels and pleasure craft if at least a three hour advance notice is given.

(834) (b) From October 15 through April 30, the draw shall open on signal for the passage of commercial vessels and pleasure craft if at least a twelve hour advance notice is given.

(835) (c) At all times, the draw shall open as soon as possible for public vessels of the United States, state or local government vessels used for public safety and vessels in distress.

(836)

§117.625 Black River.

(837) (a) The draw of the Military Street Bridge, mile 0.33, shall open on signal; except that, from May 1 through October 31, from 8 a.m. to 11 p.m., seven days a week, the draw need open only on the hour and half-hour for recreational vessels, or at any time when there are more than five vessels waiting for an opening, and from November 1 through April 30 if at least 12-hours advance notice is given.

(837.001) (b) The draw of the Seventh Street Bridge, mile 0.50, shall open on signal; except that, from May 1 through October 31, from 8 a.m. to 11 p.m., seven days a week, the draw need open only on the quarter-hour and three-quarter-hour for recreational vessels, or at any time when there are more than five vessels waiting for an opening, and from November 1 through April 30 if at least 12-hours advance notice is given.

(837.002) (c) The draw of the Tenth Street Bridge, mile 0.94, shall open on signal; except that, from May 1 through October 31, from 8 a.m. to 11 p.m., seven days a week, the draw need open only on the hour and half-hour for recreational vessels, or at any time when there are more than five vessels waiting for an opening, and from 11 p.m. to 8 a.m. if at least 1-hour advance notice is provided, and from November 1 through April 30 if at least 12-hours notice is given.

(837.003) (d) The draw of the Canadian National Railroad Bridge, mile 1.56, shall open on signal; except from November 1 through April 30 if at least 12-hours advance notice is given.

(838) <838-842 Deleted>

(843)

§117.627 Cheboygan River.

(844) The draw of the US 23 highway bridge, mile 0.9 at Cheboygan shall operate as follows:

(845) (a) From April 1 through May 15 and from September 16 through December 14, the draw shall open on signal.

(846) (b) From May 16 through September 15–

(847) (1) Between the hours of 6 p.m. and 6 a.m., seven days a week, the draw shall open on signal.

(848) (2) Between the hours of 6 a.m. and 6 p.m., seven days a week, the draw need open only from three minutes before to three minutes after the quarter-hour and three-quarter hour.

(849) (c) From December 15 through March 31, no bridgetender is required to be at the bridge and the draw need not open unless a request to open the draw is given at least 12-hours in advance of a vessel's intended time of passage through the draw.

(850) (d) At all times, the draw shall open as soon as possible for the passage of public vessels of the United States, State or local vessels used for public safety, commercial vessels, and vessels in distress.

(851)

§117.631 Detroit River (Trenton Channel).

(852) (a) The draw of the Grosse Ile Toll Bridge (Bridge Road), mile 8.8, at Grosse Ile, shall operate as follows:

(853) (1) From March 16 to through December 14—

(854) (i) Between the hours of 7 a.m. and 11 p.m., seven days a week and holidays, the draw need open only from three minutes before to three minutes after the commercial vessels, during this period of time, the draw shall open on signal as soon as possible.

(855) (ii) Between the hours of 11 p.m. and 7 a.m., the draw shall open on signal for pleasure craft and commercial vessels.

(856) (2) From December 15 through March 15, no bridge tenders are required to be on duty at the bridge and the bridge shall open on signal if at least a twelve-hour advance notice is given.

(857) (b) The draw of the Wayne County highway bridge (Gross Ile Parkway), mile 5.6, at Gross Ile, shall operate as follows:

(858) (1) From March 16 through December 14-

(859) (i) Between the hours of 7 a.m. and 11 p.m., seven days a week and holidays, the draw need open only from three minutes before to three minutes after the quarter and three-quarter hour for pleasure craft, with no opening required at 7:45 a.m., 8:45 a.m., 4:15 p.m. and 5:15 p.m., Monday through Friday, except holidays; for commercial vessels, during these periods of time, the draw shall open on signal as soon as possible.

(860) (ii) Between the hours of 11 p.m. and 7 a.m., the draw shall open on signal for pleasure craft and commercial vessels.

(861) (2) From December 15 through March 15, no bridgetenders are required to be on duty at the bridge and the bridge shall open on signal if at least a twelve-hour advance notice is given.

(862) (c) At all times, the bridges listed in this section shall open as soon as possible for public vessels of the United States, State or local government vessels used for public safety and vessels in distress.

(863)

§117.633 Grand River.

(864) (a) Public vessels of the United States, state or local vessels used for public safety, commercial vessels, and vessels in distress shall be passed through the draw of each bridge as soon as possible.

(865) (b) The draw of the CSX Transportation Corp. railroad bridge, Mile 2.8 at Grand Haven, shall open on signal; except that, from December 15 through March 15, the draw shall open on signal if at least 12 hours notice is given.

(866) (c) The draw of the U.S. Route 31 bridge, Mile 2.9 at Grand Haven, shall open on signal for pleasure craft -

(867) (1) From March 16 through December 14, from 6:30 a.m. to 8:30 p.m., seven days a week, once an hour, on the half-hour; except the draw need not open for pleasure craft at 7:30 a.m., 12:30 p.m., and 5:30 p.m. on Monday, Tuesday, Thursday, and Friday, and at 7:30 a.m., 12:30 p.m., and 4:30 p.m. on Wednesday.

(868) (2) From December 15 through March 15, if at least 12 hours notice is given.

(869)

§117.635 Keweenaw Waterway.

(870) The draw of the US41 bridge, mile 16.0 between Houghton and Hancock, shall open on signal; except that from April 15 through December 14, between midnight and 4 a.m., the draw shall be placed in the intermediate position and open on signal if at least 2 hours notice is given. From December 15 through April 14 the draw shall open on signal if at least 12 hours notice is given.

(871)

§117.637 Manistee River.

(872) (a) The draws of the Maple Street bridge, Mile 1.1, and US-31 highway bridge, Mile 1.4, both at Manistee, shall operate as follows:

(873) (1) From May 1 through October 31, between 7 a.m. to 11 p.m., the bridges shall open on signal. From 11 p.m. to 7 a.m., the bridges need not open unless notice is given at least two hours in advance of a vessel's time of intended passage through the draws.

(874) (2) From November 1 through April 30, the bridges need not open unless notice is given at least 24 hours in advance of a vessel's time of intended passage through the draws.

(875) (b) The CSX Transportation railroad bridge, Mile 1.5, at Manistee, shall open on signal from May 1 to October 31. From November 1 to April 30, the bridge need not open unless notice is given at least 24 hours in advance of a vessel's time of intended passage through the draw.

(876)

§117.641 Pine River (Charlevoix).

(877) (a) The draw of the U.S. 31 bridge, Mile 0.3 at Charlevoix, shall be operated as follows:

(878) (1) From April 1 through December 31, the draw shall open on signal; except from 6 a.m. to 10 p.m., April 1 to October 31, the draw need open only from three minutes before to three minutes after the hour and half-hour for recreational vessels. Public vessels of the United States, state or local vessels used for public safety, commercial vessels, vessels in distress, and vessels seeking shelter from severe weather shall be passed through the draw as soon as possible.

(879) (2) From January 1, through March 31, the draw shall open on signal if at least 12 hours advance notice is provided prior to a vessel's intended time of passage.

(880) (b) The owner of the bridge shall provide and keep in good legible condition two board gauges painted white with black figures not less than six inches high to indicate the vertical clearance under the closed draw at all water levels. The gages shall be placed on the bridge so that they are plainly visible to operators of vessels approaching the bridge either up or downstream.

(881)

§117.643 Pine River (St. Clair).

(882) The draw of the S29 bridge, Mile 0.1 at St. Clair, shall open on signal from April 1 through November 30 from 2 a.m. to 8 a.m. and from 8 a.m. to 2 a.m. on the hour and one-half hour. From December 1 through March 31, the draw shall open on signal if at least 24 hours notice is given. Public vessels of the United States, state or local vessels used for public safety, and vessels in distress shall be passed through the draw as soon as possible.

(883)

§117.647 Saginaw River.

(884) (a) The draws of the Lake State Railway Bridge, Mile 3.10, and the Central Michigan Railroad Bridge, Mile 4.94, both in Bay City, shall open on signal; except that from January 1 through March 31, the draws shall open on signal if at least 12 hours advance notice is provided.

(885) (b) The draws of the Independence Bridge, Mile 3.88, Liberty Street Bridge, Mile 4.99, Veterans Memorial Bridge, Mile 5.60, and Lafayette Street Bridge, Mile 6.78, all in Bay City, shall open on signal, except as follows:

(886) (1) From April 15 through November 1, between the hours of 6:30 a.m. and 7 p.m., Monday through Friday, except federal holidays, the draws of the Independence and Veterans Memorial Bridges need open for the passage of recreational vessels only from three minutes before to three minutes after the hour and half-hour, and the Liberty Street and Lafayette Street bridges need open for the passage of recreational vessels only from three minutes before to three minutes after the quarter-hour and three-quarter hour.

(887) (2) From January 1 through March 31, the draws of these bridges shall open on signal if at least 12 hours advance notice is provided.

(888) (c) The draw of the CSX railroad bridge, mile 18.0, need not be opened for the passage of vessels. The owner shall return the draw to an operable condition within a reasonable time when directed by the District Commander to do so.

(889) (d) The draw of the Grand Trunk Western railroad bridge, mile 19.2, need not be opened for the passage of vessels.

(890)

§117.651 St. Joseph River.

(891) The draws of the US33 (Blossomland) bridge, Mile 0.9, and the BL-94 (Bicentennial) bridge, Mile 1.3, both at St. Joseph, shall be operated as follows:

(892) (a) From March 1 through May 14, from October 1 through December 15, and from 8 p.m. to 7 a.m. from May 15 through September 30, the draws shall open on signal.

(893) (b) From 7 a.m. to 8 p.m. from May 15 through September 30, the draw of the Blossomland bridge need be opened only from three minutes before to three minutes after the hour and half hour, and the draw of the Bicentennial bridge need be opened only from three minutes before to three minutes after the quarter and three-quarter hour.

(894) (c) From December 16 through the last day of February, the draw of both bridges shall open on signal if at least 12 hours notice is given.

(895) (d) Public vessels of the United States, state and local government vessels used for public safety, commercial vessels, and vessels in distress shall be passed through the draw of both bridges as soon as possible.

(896)

§117.653 St. Marys Falls Canal.

(897) The draw of the International Railway bridge, Mile 1.0 at Sault Ste. Marie, shall be maintained in the fully open position during the navigation season, except for the crossings of trains or for maintenance. Bridge operators shall not give precedence to railway traffic and shall not close the bridge against an upbound vessel after lock gates are open and the vessel is proceeding toward the bridge, nor against a downbound vessel, 1,200 feet or less west of the bridge, unless the vessel is moored at either canal pier awaiting its turn to take position at lock approaches.

(898)

§117.655 Thunder Bay River.

(899) The draw of the Second Avenue bridge, Mile 0.3 at Alpena, shall open on signal if at least three hours notice is given to the Dispatcher, Police Department, City of Alpena, Michigan.

(900)

§117.661 Duluth Ship Canal (Duluth-Superior Harbor).

(901) The draw of the Duluth Ship Canal Aerial bridge, mile 0.25 at Duluth, shall open on signal; except that, from March 16 through December 31, between the hours of 7 a.m. and 9 p.m., seven days a week, the drawbridge shall open on the hour and half-hour for vessels under 300 gross tons, if needed; and the bridge will open on signal for all vessels from 9 p.m. to 7 a.m., seven days a week, and at all times for Federal, state, and local government vessels, vessels in distress, commercial vessels engaged in rescue or emergency salvage operations, commercial-assist towing vessels engaged in towing or port operations, vessels engaged in pilot duties, vessels seeking shelter from severe weather, and all commercial vessels 300 gross tons or greater. From January 1 through March 15, the draw shall open on signal if at least 12 hour notice is given. The opening signal is one prolonged blast, one short blast, one prolonged blast, one short blast. If the drawbridge is disabled, the bridge authorities shall give incoming and outgoing vessels timely and dependable notice, by tug service if necessary, so that the vessels do not attempt to enter the canal.

(901.001)

§ 117.667 St. Croix River.

(901.002) (b) The draw of the Stillwater Lift Bridge, Mile 23.4, shall open on signal as follows:

(901.003) (1) From May 15 through October 15, daily:

(901.004) (i) 8 a.m. to midnight, every half hour;

(901.005) (ii) Midnight to 8 a.m., upon two hours notice.

(901.006) (2) From October 16 through May 14, if at least 24 hours notice is given.

(902)

§117.669 St. Louis River (Duluth-Superior Harbor).

(903) (a) The draw of the Burlington Northern Grassy Point railroad Bridge, mile 5.44, shall open on signal

except that, from December 15 through March 15 the draw shall open if at least 12-hour notice is given.

(904) (b) The draw of the Canadian National Combined Railroad and Highway Bridge, mile 13.91, need not be opened for the passage of vessels. The owner shall return the draw to operable condition within a reasonable time when notified by the District Commander to do so.

(905)

§117.769 Black Rock Canal.

(906) The draws of the Ferry Street bridge, Mile 2.6, and Canadian National Railway bridge, Mile 3.8, both at Buffalo, shall operate as follows:

(907) (a) From April 15 through November 30, the draws shall open on signal. However, between the hours of 12 midnight and 8 a.m., seven days a week, no bridgetender is required to be in attendance at the bridges and the draws shall open on signal if notice is given to the owners at least two hours in advance of a vessel's intended time of passage through the draws.

(908) (b) From December 1 through April 14, no bridgetender is required to be in attendance at the bridges and the draws shall open on signal if notice is given to the owners at least four hours in advance of a vessel's time of intended passage through the draws.

(909)

§117.773 Buffalo River.

(910) (a) The draw of the Michigan Avenue bridge, Mile 1.3, at Buffalo, shall operate as follows:

(911) (1) From March 22 through December 15, the draw shall open within 20 minutes of signal. However, the draw need not open from 7:30 a.m. to 9 a.m., and from 4 p.m. to 5:45 p.m., Monday through Saturday.

(912) (2) From December 16 through March 21, the draw shall open on signal if notice is given at least 4 hours in advance of a vessel's time of intended passage through the draw.

(913) (b) The draw of the Ohio Street bridge, Mile 2.1, at Buffalo, shall operate as follows:

(914) (1) From March 22 through December 15, the draw shall open on signal within 20 minutes after a request is made to the Michigan Avenue drawtender. However, the draw need not open from 7:30 a.m. to 9 a.m., and from 4 p.m. to 5:45 p.m., Monday through Saturday.

(915) (2) From December 16 through March 21, the draw shall open on signal if notice is given at least 4 hours in advance of a vessel's time of intended passage through the draw.

(916) (3) In addition to the standard signals required for requesting the bridge to open, the owners of this bridge shall maintain and monitor a marine radiotelephone for use by the Michigan Avenue drawtender for receiving requests for opening the Ohio Street bridge. The drawtender shall maintain communications with any transiting vessel until the vessel has cleared both the Ohio Street and Michigan Avenue draws.

(917) (c) The draws of the CSX Transportation railroad bridges, Miles 4.02 and 4.39, both at Buffalo, shall open on signal if notice is given at least 4 hours in advance of a vessel's time of intended passage through the draws.

(918) (d) The South Park Avenue bridge, Mile 5.3 at Buffalo, shall open on signal if notice is given at least 4 hours in advance of a vessel's time of intended passage through the draw. However, the draw need not open from 7 a.m. to 8:30 a.m., and from 4:30 p.m. to 6 p.m., Monday through Saturday.

(919) (e) The periods when the bridges need not open on signal prescribed in paragraphs (a)(1), (b)(1), and (d) in this section shall not be effective on Sundays, and on New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day, or days observed in lieu of any of these under State law.

(920)

§117.785 Genessee River.

(921) The draw of the Colonel Patrick Henry O'Rorke Memorial Bridge, mile 1.2 at Rochester, shall open on signal from April 1 through December 15; however, from 7 a.m. to 9 a.m. and from 4 p.m. to 6 p.m., Monday through Friday, except Federal holidays, the draw need be opened only for the passage of commercial vessels. From 9 a.m. to 4 p.m. and 6 p.m. to 11 p.m., Monday through Friday, except Federal holidays, and from 7 a.m. to 11 p.m. on Saturdays, Sundays, and Federal holidays, the draw need be opened only on the hour and half-hour, except that commercial vessels shall be passed at any time. From December 16 through March 31, the draw shall open on signal if at least 12 hours notice is given. The owners of the bridge shall maintain clearance gauges in accordance with 33 CFR 118.160.

(922)

§117.791 Hudson River.

(923) (a) The draws of the bridges listed in this section shall open as soon as possible at any time for the passage of the following vessels:

(924) (1) Downbound vessels during a freshet of a height exceeding an elevation determined by the District Commander.

(925) (2) Public vessels of the United States.

(926) (3) Vessels of 500 tons or more.

(927) (4) Tugs with a tow on a hawser.

(928) (b) The draws of the bridges listed in this section shall not remain open for more than 15 minutes and may remain closed for up to 10 minutes to allow accumulated land traffic to pass.

(929) (c) The draw of the CSX Transportation bridge, Mile 146.2 between Albany and Rensselaer, shall open on signal; except that, from December 16 through March 31, the draw shall open on signal if at least 24 hours notice is given.

(930) (d) The draw of the state highway bridge, Mile 150.2 between Troy and Menands, need not be opened for the passage of vessels.

(931) (e) The draw of the highway bridge, Mile 152.7 between Troy and Green Island, operates as follows:

(932) (1) From April 1 through December 15, the draw shall open on signal from 9 a.m. to 4 p.m.; except that, the draw need not be opened from 6 p.m. to 7 a.m., unless notice is given before 4:30 p.m. to the time the vessel is expected to pass, and need not open from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.

(933) (2) From December 16 through March 31, the draw need not be opened.

(934) (f) The draws of the 112th Street bridge, Mile 155.4 between Troy and Cohoes operate as follows:

(935) (1) The draws shall open on signal from 9 a.m. to 4 p.m.

(936) (2) The draws shall open on signal from 6 p.m. to 7 a.m., if notice is given, before 4:30 p.m., of the time the vessel is expected to pass.

(937) (3) The draws need not be opened from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.

(938) (4) During the period that the Federal Lock at Troy is inoperative, the drawspans need not be opened for the passage of vessels.

(939)

§117.797 Lake Champlain.

(940) (a) The drawspan for each drawbridge listed in this section must open as soon as possible for public vessels of the United States.

(941) (b) The draw of the US2 Bridge, Mile 91.8, over Lake Champlain, between South Hero Island and North Hero Island, shall operate as follows:

(942) (1) The draw shall open on signal on the hour and the half hour from May 15th through October 15th from 8 a.m. to 8 p.m. daily.

(943) (2) The draw shall open on signal from May 15th through October 15th from 8 p.m. to 8 a.m. if at least four hours notice is given by calling the number posted at the bridge.

(944) (3) The draw shall open on signal from October 16th through May 14th if at least four hours notice is given by calling the number posted at the bridge.

(945) (c) The draw of the Central Vermont Railway bridge across Missisquoi Bay, Mile 105.6 shall open on signal:

(946) (1) From June 15 through September 15;

(947) (i) Monday through Friday from 9 a.m. to 5 p.m.;

(948) (ii) Saturdays, Sundays, Independence Day and Labor Day from 7 a.m. to 11 p.m.;

(949) (iii) At all other times, if at least two hours notice is given.

(950) (2) From September 16 through June 14, if at least 24 hours notice is given.

(951) (d) The draw of the SR78 bridge, Mile 105.9 across the entrance to Missisquoi Bay between Alburg Tongue and Hog Island at East Alburg, shall open on signal if at least 24 hours notice is given.

(952)

§117.803 Niagara River.

(953) The draw of the Canadian National Railway bridge, Mile 33.0 at Buffalo, need not be opened for the passage of vessels.

(954)

§117.809 Tonawanda Creek.

(955) The draw of the Penn Central Corporation railroad bridge, Mile 0.1 at Tonawanda, is permanently maintained in the open position.

(956)

§117.811 Tonawanda Harbor.

(957) The draw of the Tonawanda Island Railroad bridge, Mile 0.2 between North Tonawanda and Tonawanda Island, shall open on signal if at least 24 hours notice is given.

(958)

§117.847 Ashtabula River.

(959) (a) The draw of the Fifth Street bridge, Mile 1.4 at Ashtabula, shall open on signal for the passage of commercial and emergency vessels and on the hour and half hour for all other vessels.

(960) (b) The draw of the Norfolk Southern bridge, mile 1.5 at Ashtabula, is remotely operated, is required to operate a radiotelephone, and shall open on signal from April 1 through November 30 from 7 a.m. to 11 p.m. At all other times the draw shall open on signal if at least 24 hours notice is given.

(961)

§117.850 Black River.

(962) The draw of the Erie Avenue bridge, Mile 0.6, at Lorain shall open on signal except as follows:

(963) (a) From April 1 through December 31–

(964) (1) From 7 a.m. to 6 p.m., Monday through Friday, except legal holidays, the draw need open only on the hour and half-hour for pleasure craft; however, the draw need not open for pleasure craft at 8 a.m., 3 p.m., 4 p.m. and 5 p.m. For commercial vessels the draw shall open on signal as soon as possible.

(965) (2) From 11 a.m. to 6 p.m., Saturdays, Sundays and legal holidays, the draw need open only on the hour and half-hour for pleasure craft. For commercial vessels the draw shall open on signal as soon as possible.

(966) (3) From 11 p.m. to 7 a.m., seven days a week and legal holidays, no bridgetender is required to be in constant attendance and the bridge shall open on signal for pleasure craft and commercial vessels if at least a one hour advance notice is given.

(967) (b) From January 1 through March 31, the draw shall open on signal for pleasure craft and commercial vessels if at least a twelve hour advance notice is given.

(968) (c) At all times, the draw shall open as soon as possible for public vessels of the United States, state or local government vessels used for public safety and vessels in distress.

(969)

§117.851 Portage River.

(970) (a) Public vessels of the United States, State or local government vessels used for public safety, vessels in distress and vessels seeking shelter from rough weather shall be passed through the draws listed in this section as soon as possible. Except as provided in paragraph (c)(1)

(ii) with respect to the Monroe Street bridge, commercial vessels shall be passed through the draws of this section as soon as possible.

(971) (b) The owners of the bridges listed in this section shall provide and keep in good legible condition two board gages painted white with black figures to indicate the vertical clearance under the closed draw at all stages of the tide. The gages shall be so placed on the bridge that they are plainly visible to operators of vessels approaching the bridge either up or downstream.

(972) (c) The draw of the Monroe Street bridge, Mile 0.4 at Port Clinton, shall open as follows:

(973) (1) From May 1 through November 30–

(974) (i) Between the hours of 12 midnight and 6 a.m., the draw shall open on signal.

(975) (ii) Between the hours of 6 a.m. and 12 midnight, the draw shall open on signal. However, the draw need not open on signal during this time for recreational craft and commercial vessels licensed to carry fifteen or less passengers, or less than ten gross tons, unless in distress or seeking shelter from rough weather. For these vessels, the draw need open only from three minutes before to three minutes after the hour and half-hour.

(976) (2) From December 1 through April 30, the draw shall open on signal if at least 24 hours' notice is given.

(977) (d) The draw of the Norfolk Southern bridge, Mile 1.5 at Port Clinton, is remotely operated, is required to operate a radiotelephone, and shall open on signal. However, from December 1 through April 30, the draw shall open on signal if at least 24 hours notice is given.

(978)

§117.853 Sandusky Bay.

(979) The draw of the Norfolk Southern Bridge, Mile 3.5 at Sandusky, is remotely operated, is required to operate a radiotelephone, and shall open on signal from April 1 through October 31 and from November 1 through November 30 from 8 a.m. to 4 p.m. At all other times, the draw shall open on signal if at least 24 hours notice is given.

(980)

§117.855 Maumee River.

(981) (a) The draw of the Craig Memorial highway bridge, Mile 3.30, at Toledo, shall operate as follows:

(982) (1) From April through December 20–

(983) (i) Between the hours of 7 a.m. and 11 p.m., the draw need open only from three minutes before to three minutes after the hour and half-hour with no opening required at 7:30 a.m. and 4:30 p.m. for pleasure craft; for commercial vessels, during this period of time, the draw shall open on signal as soon as possible.

(984) (ii) Between the hours of 11 p.m. and 7 a.m., the draw shall open on signal for commercial vessels and pleasure craft.

(985) (2) From December 21 through March 31, no bridgetenders are required to be on duty at the bridge and the draw shall open on signal from December 21 through December 31, if at least a four hour advance notice is given and from January 1 through March 31, if at least a twelve hour advance notice is given.

(986) (b) The draw of the Martin Luther King, Jr. Memorial Highway Bridge (Cherry Street), Mile 4.30 at Toledo, shall operate as follows:

(987) (1) From April 1 through December 20–

(988) (i) Between the hours of 7 a.m. and 11 p.m., the draw need open only from three minutes before to three minutes after the quarter and three-quarter hour with no opening required at 7:45 a.m. and 4:45 p.m. for pleasure craft; for commercial vessels, during this period of time, the draw shall open on signal as soon as possible.

(989) (ii) Between the hours of 11 p.m. and 7 a.m., the draw shall open on signal for commercial vessels and pleasure craft.

(990) (2) From December 21 through March 31, no bridgetenders are required to be at the bridge and the draw shall open on signal from December 21 through December 31, if at least a four hour advance notice is given and from January 1 through March 31, if at least a twelve hour advance notice is given.

(991) (c) The draws of the CSX Transportation railroad bridge, mile 1.07, Wheeling and Lake Erie Railroad Bridge, mile 1.80 and Norfolk Southern railroad bridge, mile 5.76, all at Toledo, shall operate as follows:

(992) (1) From April 1 through December 20, the draws shall open on signal for all vessels.

(993) (2) From December 21 through March 31, no bridgetenders are required to be at the bridges and the draws shall open on signal for commercial vessels and pleasure craft from December 21 through December 31, if at least a four hour advance notice is given and from January 1 through March 31, if at least a twelve hour advance notice is given.

(994) (d) At all times, the bridges listed in this section shall open as soon as possible for public vessels of the United States, state or local government vessels used for public safety and vessels in distress.

(995)

§117.993 Lake Champlain.

(996) (a) The drawspan for each of the drawbridges listed in this section must open as soon as possible for the passage of public vessels of the United States.

(997) (b) The draw of the US2 Bridge, Mile 91.8, over Lake Champlain, between South Hero Island and North Hero Island, shall operate as follows:

(998) (1) The draw shall open on signal on the hour and the half hour from May 15th through October 15th from 8 a.m. to 8 p.m. daily.

(999) (2) The draw shall open on signal from May 15th through October 15th from 8 p.m. to 8 a.m. if at least four hours notice is given by calling the number posted at the bridge.

(1000) (3) The draw shall open on signal from October 16th through May 14th if at least four hours notice is given by calling the number posted at the bridge.

(1001) (c) The draw of the New England Central Railroad Bridge across Missiquoi Bay, mile 105.6, at Swanton, Vermont, shall operate as follows:

(1002) (1) From June 15 through September 15, the draw shall remain in the full open position at all times and shall only be closed for the passage of rail traffic or the performance of maintenance authorized in accordance with subpart A of this part.

(1003) (2) From September 16 through June 14, the draw may remain in the closed position and shall be opened on signal for the passage of vessel traffic after at least a twenty four hour notice is given by calling the number posted at the bridge.

(1004) (3) The draw may be operated either remotely by the New England Central Railroad train dispatcher located at St. Albans, Vermont or manually by a draw tender located at the bridge.

(1005) (4) A sufficient number of infrared cameras shall be maintained in good working order at all times with a clear unobstructed view of the channel under the bridge, and the up and down stream approaches to the bridge. A signal horn and message boards located both up and down stream, necessary to warn marine traffic that the bridge will be closing, shall also be maintained in good working order at all times. In the event that any of the cameras, navigation lights, horn, or message board become disabled, personnel shall be deployed to the bridge to be on scene within two hours from the known time of the equipment failure.

(1006) (5) The draw may operate remotely as follows: Once it is determined that the draw must be opened or closed, the train dispatcher shall observe the waterway both up and down stream via the infrared cameras to verify that the channel is clear of all approaching vessel traffic. All approaching vessel traffic shall be allowed to pass before the bridge may be closed. Once it is determined that no vessel traffic is approaching the dispatcher shall sound the warning horn and activate the up and down stream message boards indicating that the bridge will be closing. After at least a one minute delay the draw may then be closed and the swing span navigation lights shall display as red to indicate the bridge is in the closed position. Once the train clears the bridge the draw shall be returned to the full open position and the swing span lights shall display as green to indicate the draw is in the full open position.

(1007) (6) In the event that the dispatcher cannot verify that the channel is clear of all vessel traffic and the bridge cannot be safely closed, an on-scene train crewmember shall observe the waterway for any vessel traffic and then communicate with the train dispatch office either by radio or telephone to request the bridge be safely closed. Personnel shall then be deployed to the bridge to arrive within two hours to inspect and repair the bridge remote operation equipment.

(1008) (7) The bridge shall be operated manually from the tender's house located at the bridge until all necessary repairs are completed to the remote operation equipment.

(1009)

§117.1083 Duluth-Superior Harbor (St. Louis River).

(1010) See §117.669 St. Louis River (Duluth-Superior Harbor), listed under Minnesota.

(1011)

§117.1085 East River.

(1012) The draw of the Monroe Avenue bridge, Mile 0.3 at Green Bay, need not be opened for the passage of vessels.

(1013)

§117.1087 Fox River.

(1014) (a) The draws of the Canadian National Bridge, mile 1.03, Main Street Bridge, mile 1.58, Walnut Street Bridge, mile 1.81, Mason Street (Tilleman Memorial) Bridge, mile 2.27, and Canadian National Bridge, mile 3.31, all at Green Bay, shall open as follows:

(1015) (1) From April 1 through November 30, the draws shall open on signal for recreational vessels; except the draws need not open from 7 a.m. to 8 a.m., 12 noon to 1 p.m., and 4 p.m. to 5 p.m., Monday through Saturday except Federal holidays. Public vessels, tugs, and commercial vessels with a cargo capacity of 300 short tons or greater shall be passed at all times.

(1016) (2) From December 1 through March 31, the draws shall open on signal if notice is given at least 12 hours in advance of a vessels time of intended passage.

(1017) (3) The opening signal for the Main Street Bridge is two short blasts followed by one prolonged blast, for the Walnut Street Bridge one prolonged blast followed by two short blasts, and for the Mason Street Bridge one prolonged blast, followed by one short blast, followed by one prolonged blast.

(1018) (b) All drawbridges between mile 7.13 in DePere and mile 58.3 in Oshkosh, except the Canadian National Railroad bridge at mile 55.72, shall open as follows:

(1019) (1) From April 27 through October 7, the draws shall open on signal, except between the hours of midnight and 8 a.m., the draws shall open if at least 2- hours advance notice is given.

(1020) (2) From October 8 through April 26, the draws shall open if at least 12-hours advance notice is given.

(1021) (c) The draw of the Canadian National Railroad bridge at mile 55.72 shall open on signal, except from October 8 through April 26; the draw shall open if at least 12-hours advance notice is given.

(1022) (d) The draw of each bridge at or between Berlin and Portage need not open for the passage of vessels.

(1023)

§117.1089 Manitowoc River.

(1024) (a) The draws of the Eighth Street bridge, Mile 0.29, and Tenth Street bridge, Mile 0.43, both at Manitowoc, shall open on signal except that:

(1025) (1) From April 1 through October 31, Monday through Friday, the bridges need not open from 6:50 a.m. to 7 a.m., 7:50 a.m. to 8 a.m., 11:55 a.m. to 12:10 p.m., and 12:45 p.m. to 1 p.m., except federal holidays. From 10:30 p.m. to 4:30 a.m. the draws shall open on signal if at least 6 hour advance notice is given.

(1026) (2) From November 1 through March 31 the draws shall open on signal if at least a 12 hour advance notice is given.

(1027) (3) The opening signals for these bridges are:

(1028) (i) Eighth Street–one prolonged blast followed by one short blast.

(1029) (ii) Tenth Street–two short blasts followed by one prolonged blast.

(1030) (4) When signal is given by car ferry or other large vessel to pass either of the two bridges, the remaining bridge shall open promptly so that such vessels shall not be held between the two bridges.

(1031) (b) [Remove and Reserve]

(1032)

§117.1091 Menominee River.

(1033) The draw of the Ogden-First Street bridge, Mile 0.4 at Marinette, shall open on signal from 7 a.m. to 11 p.m. from May 1 through October 31. From 11 p.m. to 7 a.m. from May 1 through October 31, the draw shall open on signal if at least two hours notice is given. From November 1 through April 30, the draw shall open on signal if at least 12 hours notice is given.

(1034)

§117.1093 Milwaukee, Menomonee, and Kinnickinnic Rivers and South Menomonee and Burnham Canals.

(1035) (a) The draws of each bridge listed in this section shall open as soon as possible for the passage of public vessels of the United States, vessels carrying United States mail, vessels licensed to carry 50 or more passengers when on their regular routes, and fireboats of the City of Milwaukee.

(1036) (b) For all bridges, the drawtender's acknowledging signal when the draw will open is the same as the opening signal. The acknowledging signal when the draw will not open, or is open and must be closed promptly is four short blasts.

(1037) (c) The draws of bridges across the Milwaukee River operate as follows:

(1038) (1) The draws of the North Broadway Street bridge, Mile 0.5, North Water Street bridge, Mile 0.6, and Michigan Street bridge, Mile 1.1, all at Milwaukee, shall open on signal; except that, from 7:30 a.m. to 8:30 a.m. and 4:30 p.m. to 5:30 p.m. Monday through Saturday except Federal holidays, the draws need not be opened.

(1039) (2) The draws of all other bridges across the Milwaukee River shall open on signal if at least two hours notice is given; except that, from 7:30 a.m. to 8:30 a.m. and 4:30 p.m. to 5:30 p.m., the draws need not be opened.

(1040) (3) The opening signals are as follows:

(1041) (i) The Union Pacific railroad bridge, mile 0.59, two prolonged blasts.

(1042) (ii) The North Broadway Street bridge, Mile 0.5, three prolonged blasts followed by one short blast.

(1043) (iii) The North Water Street bridge, Mile 0.6, three prolonged blasts followed by two short blasts.

(1044) (4) The following bridges are remotely operated, are required to operate a radiotelephone, and shall open as noted in this section; St. Paul Avenue, mile 1.21, Clybourn Street, mile 1.28, Highland Avenue, mile 1.97, and Knapp Street, mile 2.14.

(1045) (d) The draws of bridges across the Menomonee River and South Menomonee Canal operate as follows:

(1046) (1) The draw of the North Plankinton Avenue bridge across the Menomonee River, Mile 1.08, shall open on signal; except that, from 7:30 a.m. to 8:30 a.m. and 4:30 p.m. to 5:30 p.m. Monday through Saturday except Federal holidays, the draws need not be opened.

(1047) (2) The draws of all other bridges across the Menomonee River and South Menomonee Canal shall open on signal; except that, from 7:30 a.m. to 8:30 a.m. and 4:30 p.m. to 5:30 p.m. Monday through Saturday except Federal holidays, the draws need not be opened and, from 11 p.m. to 7 a.m., the draws shall open on signal if at least two hours notice is given.

(1048) (3) The opening signal for the Canadian Pacific railroad bridge across the Menomonee River, Mile 1.05, is two prolonged blasts followed by two short blasts.

(1049) (4) The following bridges are remotely operated, are required to operate a radiotelephone, and shall open as noted in this section; North Plankinton Avenue, mile 1.08, North Sixth Street, mile 1.37, and North Emmber Lane, mile 1.95, all over Menomonee River, and South Sixth Street, mile 1.51 over South Menomonee Canal.

(1050) (e) The draws of bridges across the Kinnickinnic River operate as follows:

(1051) (1) The draw of the Kinnickinnic Avenue bridge, Mile 1.5, shall open on signal; except that, from 7:30 a.m. to 8:30 a.m. and 4:30 p.m. to 5:30 p.m. Monday through Saturday except Federal holidays, the draw need not be opened.

(1052) (2) The draws of the Canadian Pacific railroad bridge, Mile 1.67, and the Union Pacific railroad bridge, Mile 1.71, shall open on signal if at least two hours notice is given.

(1053) (3)(i) The draws of all other bridges across the Kinnickinnic River shall open on signal; except that, from 7:30 a.m. to 8:30 a.m. and 4:30 p.m. to 5:30 p.m. Monday through Saturday except Federal holidays, the draws need not be opened and, from 11 p.m. to 7 a.m., the draws shall open on signal if at least two hours notice is given.

(1054) (ii) The South First Street Bridge, mile 1.78, is remotely operated, is required to operate a radiotelephone, and shall open as noted in this section.

(1055) (4) The opening signal for the Union Pacific railroad bridge, Mile 1.19, is two prolonged blasts.

(1056) (f) The draw of the Canadian Pacific Railway bridge, Mile 1.74 over Burnham Canal, need not be opened for the passage of vessels.

(1057)

§117.1095 Root River.

(1058) (a) The draw of the Main Street bridge, Mile 0.3 shall open on signal; except that, from April 1 through December 1 from 6 a.m. to 6 p.m., the draw need be opened only on the hour, 20 minutes after the hour, and 40 minutes after the hour to pass all accumulated vessels; and, from December 2 through March 31, the draw shall open on signal if at least two hours notice is given. At all times, public vessels of the United States, state or local vessels used for public safety, commercial vessels, and vessels in distress shall be passed as soon as possible.

(1059) (b) The draw of the State Street bridge, Mile 0.5, shall open on signal; except that, from October 16 through April 30, the draw shall open on signal if at least two hours notice is given. At all times, public vessels of the United States, state or local vessels used for public safety, commercial vessels, and vessels in distress shall be passed as soon as possible.

(1060)

§117.1097 Sheboygan River.

(1061) The draw of the Eighth Street bridge, Mile 0.69 at Sheboygan, shall open as follows:

(1062) (a) From May 1 through October 31 -

(1063) (1) Between the hours of 6 a.m. and 10 p.m., the bridge shall open on signal, except that:

(1064) (i) From 6:10 a.m. to 7:10 p.m., Monday through Saturday, the draw need open only at 10 minutes after the hour, on the half-hour, and 10 minutes before the hour; and

(1065) (ii) From Monday through Friday, except Federal holidays, the draw need not open between 7:30 a.m. and 8:30 a.m., between 12 p.m. and 1 p.m., and between 4:30 p.m. and 5:30 p.m.

(1066) (2) Between the hours of 10 p.m. and 6 a.m., the draw shall open on signal if at least 2 hours advance notice is provided.

(1067) (b) From November 1 through April 30, the draw shall open on signal if at least 12 hours advance notice is provided.

(1068) (c) At all times, the draw shall open as soon as possible for pubic vessels of the United States, state or local government vessels used for public safety, vessels in distress, vessels seeking shelter from rough weather, or any other emergency.

(1069)

§117.1101 Sturgeon Bay.

(1069.001) The draws of the Bayview (State Route 42/57) and Michigan Street bridges, miles 3.0 and 4.3, respectively, at Sturgeon Bay, are remotely operated by the tender at Maple-Oregon bridge, mile 4.17, and shall open as follows:

(1070) The draws of the Bayview (State Route 42/57) and Michigan Street bridges, miles 3.0 and 4.3, respectively, at Sturgeon Bay, are remotely operated by the tender at Maple-Oregon bridge, mile 4.17, and shall open as follows:

(1071) (a) The Bayview (State Route 42/57) Bridge, mile 3.0 at Sturgeon Bay, shall open on signal, except from December 1 through March 14, the draw shall open on signal if notice is given at least 12 hours in advance of intended passage.

(1072) (b) The draw of the Maple-Oregon Bridge, mile 4.17 at Sturgeon Bay, shall open on signal, except as follows:

(1073) (1) From March 15 through December 31, need open on signal for recreational vessels only on the quarter hour and three-quarter hour, 24 hours a day, if needed. However, if more than 10 vessels have accumulated at the bridge, or vessels are seeking shelter from severe weather, the bridge shall open on signal. This drawbridge, along with the Michigan Street drawbridge, shall open simultaneously for larger commercial vessels, as needed.

(1074) (2) From January 1 through March 14, the draw shall open on signal if notice is given at least 12 hours in advance of intended passage.

(1075) (c) The draw of the Michigan Street Bridge, mile 4.3 at Sturgeon Bay, shall open on signal, except as follows:

(1076) (1) From March 15 through December 31, need open on signal for recreational vessels only on the hour and half-hour, 24 hours a day, if needed. However if more than 10 vessels have accumulated at the bridge, or vessels are seeking shelter from severe weather, the bridge shall open on signal. This drawbridge, along with the Maple-Oregon Street drawbridge, shall open simultaneously for larger commercial vessels, as needed.

(1077) (2) From January 1 through March 14, the draw shall open on signal if notice is given at least 12 hours in advance of intended passage.

(1078)

§117.1107 Wolf River.

(1079) (a) The draw of the Winneconne Highway bridge, mile 2.4 at Winneconne, shall open on signal; except that, between the hours of midnight and 8 a.m., from April 20 through October 15, at least 2-hours of advance notice is required, and from October 16 through April 19, at least 12-hours of advance notice is required. Advance notice shall be provided to the Winnebago County Highway Department.

(1080) (b) The draw of the Canadian National Railroad Bridge, mile 27.8 at Gill's Landing, shall open on signal if at least 6-hours advance notice is provided from April 20 through October 15, and if at least 12-hours advance notice is provided from October 16 through April 19.

(1081) **Note:** Call signs and radio channels for drawbridges equipped with radiotelephones are included with the bridge descriptions in chapters 4 through 14.

(1082)

Part 151–Vessels Carrying Oil, Noxious Liquid

Substances, Garbage, Municipal or Commercial Waste, and Ballast Water

(1083)

Subpart C–Ballast Water Management for Control of Nonindigenous Species in the Great Lakes and Hudson River

(1084)

§151.1500 Purpose.

(1085) The purpose of this subpart is to implement the provisions of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 *et seq*.).

(1086)

§151.1502 Applicability.

(1087) This subpart applies to all nonrecreational vessels, U.S. and foreign, that are equipped with ballast tanks that, after operating on the waters beyond the Exclusive Economic Zone during any part of its voyage, enter the Snell Lock at Massena, New York, or navigates north of the George Washington Bridge on the Hudson River, regardless of other port calls in the United States or Canada during that voyage, except as expressly provided in 33 CFR 151.2015(a). All vessels subject to this subpart are also required to comply with the applicable requirements of 33 CFR 151.2050, 151.2060, and 151.2070.

(1088)

§151.1504 Definitions.

(1089) The following terms are defined as used in this subpart.

(1090) *Alternate management system (AMS)* means a ballast water management system approved by a foreign administration pursuant to the standards set forth in the International Maritime Organization's International BWM Convention, and meeting all applicable requirements of U.S. law, and which is used in lieu of ballast water exchange.

(1091) *Ballast water* means any water and suspended matter taken on board a vessel to control or maintain, trim, draught, stability, or stresses of the vessel, regardless of how it is carried.

(1092) *Ballast tank* means any tank or hold on a vessel used for carrying ballast water, whether or not the tank or hold was designed for that purpose.

(1093) *Ballast water management system (BWMS)* means any system which processes ballast water to kill, render harmless, or remove organisms. The BWMS includes all ballast water treatment equipment and all associated control and monitoring equipment.

(1094) *Captain of the Port (COTP)* means the Coast Guard officer designated as COTP of either the Buffalo, NY, Marine Inspection Zone and Captain of the Port Zone or the New York, NY, Captain of the Port Zone described in part 3 of this chapter or an official designated by the COTP.

(1095) *Commandant* means the Commandant of the Coast Guard or an authorized representative.

(1096) *Constructed in respect to a vessel* means a stage of construction when—

(1097) (1) The keel of a vessel is laid;

(1098) (2) Construction identifiable with the specific vessel begins;

(1099) (3) Assembly of the vessel has commenced and comprises at least 50 tons or 1 percent of the estimated mass of all structural material, whichever is less; or

(1100) (4) The vessel undergoes a major conversion.

(1101) *Exclusive Economic Zone (EEZ)* means the area established by Presidential Proclamation Number 5030, dated March 10, 1983, (48 FR 10605, 3 CFR, 1983 Comp., p. 22), which extends from the base line of the territorial sea of the United States seaward 200 miles, and the equivalent zone of Canada.

(1102) *Environmentally sound method* means methods, efforts, actions, or programs, either to prevent introductions or to control infestations of aquatic nuisance species, that minimize adverse effects on non-target organisms and ecosystems, and that emphasize integrated pest management techniques and non-chemical measures.

(1103) *Great Lakes* means Lake Ontario, Lake Erie, Lake Huron (including Lake Saint Clair), Lake Michigan, Lake Superior, and the connecting channels (Saint Mary's River, Saint Clair River, Detroit River, Niagara River, and Saint Lawrence River to the Canadian border), and includes all other bodies of water within the drainage basin of such lakes and connecting channels.

(1104) *Port* means a terminal or group of terminals or any place or facility that has been designated as a port by the COTP.

(1105) *Sediments* means any matter settled out of ballast water within a vessel.

(1106) *Voyage* means any transit by a vessel destined for the Great Lakes or the Hudson River, north of the George Washington Bridge, from a port or place outside of the EEZ, including intermediate stops at a port or place within the EEZ.

(1107) *Waters of the United States* means waters subject to the jurisdiction of the United States as defined in 33 CFR 2.38, including the navigable waters of the United States. For 33 CFR part 151, subparts C and D, the navigable waters include the territorial sea as extended to 12 nautical miles from the baseline, pursuant to Presidential Proclamation No. 5928 of December 27, 1988.

(1108)

§151.1505 Severability.

(1109) If a court finds any portion of this subpart to have been promulgated without proper authority, the remainder of this subpart will remain in full effect.

(1110)

§151.1506 Restriction on operation.

(1111) No vessel subject to the requirements of this subpart may be operated in the Great Lakes or the Hudson River, north of the George Washington Bridge, unless the master

of the vessel has certified, in accordance with §151.1516, that the requirements of this subpart have been met.

(1112)

§151.1508 Revocation of clearance.

(1113) A COTP may request the District Director of Customs to withhold or revoke the clearance required by 46 U.S.C. app. 91 for a vessel subject to this subpart, the owner or operator of which is not in compliance with the requirements of this subpart.

(1114)

§151.1510 Ballast water management requirements.

(1115) (a) The master of each vessel subject to this subpart shall employ one of the following ballast water management practices:

(1116) (1) Carry out an exchange of ballast water on the waters beyond the Exclusive Economic Zone (EEZ), from an area more than 200 nautical miles from any shore, and in waters more than 2,000 meters (6,560 feet, 1,093 fathoms) deep, such that, at the conclusion of the exchange, any tank from which ballast water will be discharged contains water with a minimum salinity level of 30 parts per thousand, unless the vessel is required to employ an approved ballast water management system (BWMS) per the schedule in § 151.1512(b) of this subpart. This exchange must occur prior to entry into the Snell Lock at Massena, NY, or navigating on the Hudson River, north of the George Washington Bridge. An alternative management system (AMS) that meets the requirements of 33 CFR 151.2026 may also be used, so long as it was installed on the vessel prior to the date that the vessel is required to comply with the ballast water discharge standard in accordance with § 151.1512(b) of this subpart. If using an AMS, the master, owner, operator, agent, or person in charge of the vessel subject to this subpart may employ the AMS for no longer than 5 years from the date they would otherwise be required to comply with the ballast water discharge standard in accordance with § 151.1512(b) of this subpart.

(1117) (2) Retain the vessel's ballast water on board the vessel. If this method of ballast water management is employed, the COTP may seal any tank or hold containing ballast water on board the vessel for the duration of the voyage within the waters of the Great Lakes or the Hudson River, north of the George Washington Bridge.

(1118) (3) Install and operate a BWMS that has been approved by the Coast Guard under 46 CFR part 162, in accordance with § 151.1512(b) of this subpart. Following installation of a BWMS, the master, owner, operator, agent, or person in charge of the vessel must maintain the BWMS in accordance with all manufacturer specifications.

(1119) (i) Requirements for approval of BWMS are found in 46 CFR part 162.060.

(1120) (ii) Requests for approval of BWMS must be submitted to the Commanding Officer (MSC), Attn: Marine Safety Center, U.S. Coast Guard Stop 7430, 2703 Martin Luther King Jr. Avenue SE, Washington, DC 20593-7430, or by email to *msc@uscg.mil*.

(1121) (4) Use only water from a U.S. public water system (PWS), as defined in 40 CFR 141.2 and that meets the requirements of 40 CFR parts 141 and 143, as ballast water. Vessels using water from a PWS as ballast must maintain a record of which PWS they received the water and a receipt, invoice, or other documentation from the PWS indicating that water came from that system. Furthermore, they must certify that they have met the conditions in paragraphs (a)(4)(i) or (ii) of this section, as applicable. Vessels using water from a PWS must use such water exclusively for all ballast water unless the usage is in accordance with § 151.1515 of this subpart. Vessels using PWS water as ballast must have either—

(1122) (i) Previously cleaned the ballast tanks (including removing all residual sediments) and not subsequently introduced ambient water; or

(1123) (ii) Never introduced ambient water to those tanks and supply lines.

(1124) (b) No master of a vessel subject to this subpart shall separately discharge sediment from tanks or holds containing ballast water unless it is disposed of ashore in accordance with local requirements.

(1125) (c) Nothing in this subpart authorizes the discharge of oil or noxious liquid substances (NLSs) in a manner prohibited by United States or international laws or regulations. Ballast water carried in any tank containing a residue of oil, NLSs, or any other pollutant must be discharged in accordance with the applicable regulations. Nothing in this subpart affects or supersedes any requirement or prohibitions pertaining to the discharge of ballast water into the waters of the United States under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

(1126) (d) Unless otherwise expressly provided for in this subpart, the master, owner, operator, agent, or person in charge of vessels employing a Coast Guard-approved BWMS must meet the applicable ballast water discharge standard, found in § 151.1511 of this subpart, at all times of ballast water discharge into the waters of the United States.

(1127)

§151.1511 Ballast water discharge standard (BWDS).

(1128) (a) Vessels employing a Coast Guard approved ballast water management system (BWMS) must meet the following BWDS by the date in §151.1512(b) of this subpart:

(1129) (1) For organisms greater than or equal to 50 micrometers in minimum dimension: discharge must include fewer than 10 living organisms per cubic meter of ballast water.

(1130) (2) For organisms less than 50 micrometers and greater than or equal to 10 micrometers: discharge must include fewer than 10 living organisms per milliliter (mL) of ballast water.

(1155)

TABLE 151.1512(b)—IMPLEMENTATION SCHEDULE FOR BALLAST WATER MANAGEMENT DISCHARGE STANDARDS FOR VESSELS USING COAST GUARD APPROVED BALLAST WATER MANAGEMENT SYSTEMS

	Vessel's ballast water capacity	Date constructed	Vessel's compliance date
New vessels	All	On or after December 1, 2013	On delivery
Existing vessels	Less than 1500 m^3	Before December 1, 2013	First scheduled drydocking after January 1, 2016
	1500–5000 m^3	Before December 1, 2013	First scheduled drydocking after January 1, 2014
	Greater than 5000 m^3	Before December 1, 2013	First scheduled drydocking after January 1, 2016

(1131) (3) Indicator microorganisms must not exceed:

(1132) (i) For Toxicogenic *Vibrio cholerae* (serotypes O1 and O139): a concentration of less than 1 colony forming unit (cfu) per 100 mL.

(1133) (ii) For *Escherichia coli:* a concentration of fewer than 250 cfu per 100 mL.

(1134) (iii) For intestinal enterococci: a concentration of fewer than 100 cfu per 100 mL.

(1135) (b) [Reserved]

(1136) (c) The Coast Guard will conduct a practicability review as follows:

(1137) (1) No later than January 1, 2016, the Coast Guard will publish the results of a practicability review to determine—

(1138) (i) Whether technology to comply with a performance standard more stringent than that required by paragraph (a) of this section can be practicably implemented, in whole or in part, and, if so, the Coast Guard will schedule a rulemaking to implement the more stringent standard; *and*

(1139) (ii) Whether testing protocols that can accurately measure efficacy of treatment against a performance standard more stringent than that required by paragraph (a) of this section can be practicably implemented.

(1140) (2) If the Coast Guard determines on the basis of a practicability review conducted under paragraph (c)(1) of this section that technology to achieve a significant improvement in ballast water treatment efficacy could be practicably implemented, the Coast Guard will report this finding and will, no later than January 1, 2017, initiate a rulemaking that would establish performance standards and other requirements or conditions to ensure to the maximum extent practicable that aquatic nuisance species are not discharged into waters of the United States from vessels. If the Coast Guard subsequently finds that it is not able to meet this schedule, the Coast Guard will publish a notice in the **Federal Register** so informing the public, along with an explanation of the reason for the delay, and a revised schedule for rule making that shall be as expeditious as practicable.

(1141) (3) When conducting the practicability review as required by paragraph (c)(1) of this section, the Coast Guard will consider—

(1142) (i) The capability of any identified technology to achieve a more stringent ballast water discharge standard, in whole or in part;

(1143) (ii) The effectiveness of any identified technology in the shipboard environment;

(1144) (iii) The compatibility of any identified technology with vessel design and operation;

(1145) (iv) The safety of any identified technology;

(1146) (v) Whether the use of any identified technology may have an adverse impact on the environment;

(1147) (vi) The cost of any identified technology;

(1148) (vii) The economic impact of any identified technology, including the impact on shipping, small businesses, and other uses of the aquatic environment;

(1149) (viii) The availability, accuracy, precision, and cost of methods and technologies for measuring the concentrations of organisms, treatment chemicals, or other pertinent parameters in treated ballast water as would be required under any alternative discharge standards;

(1150) (ix) Any requirements for the management of ballast water included in the most current version of the U.S. Environmental Protection Agency's Vessel General Permit and any documentation available from the EPA regarding the basis for these requirements; and

(1151) (x) Any other factor that the Coast Guard considers appropriate that is related to the determination of whether identified technology is performable, practicable, and/or may possibly prevent the introduction and spread of non-indigenous aquatic invasive species.

(1152)

§151.1512 Implementation schedule for approved ballast water management methods.

(1153) (a) To discharge ballast water into the waters of the United States, the master, owner, operator, agent, or person in charge of a vessel subject to § 151.1510 of this subpart must either ensure that the ballast water meets the ballast water discharge standard as defined in §151.1511(a), use an AMS as provided for under § 151.1510(a)(1) or ballast exclusively with water from a U.S. public water system, as described in §151.1510(a)(4), according to the schedule in paragraph (b) of this section.

(1154) (b) *Implementation Schedule for the Ballast Water Management Discharge Standard for vessels using a Coast Guard approved BWMS to manage ballast water discharged to waters of the United States.* After the dates listed in Table 151.1512(b), vessels may use a USCG-approved BWMS and comply with the discharge standard, or employ an approved ballast water management method per §151.1510(a)(1) and (4).

(1156)

§151.1513 Extension of compliance date.

(1157) The Coast Guard may grant an extension to the implementation schedule in § 151.1512(b) of this subpart only in those cases where the master, owner, operator, agent, or person in charge of a vessel subject to this subpart can document that, despite all efforts, compliance with the requirement under § 151.1510 is not possible. Any extension request must be made no later than 12 months before the scheduled implementation date listed in §151.1512(b) of this subpart and submitted in writing to the Commandant (CG–OES), Attn: Office of Operating and Environmental Standards, U.S. Coast Guard Stop 7509, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593–7509. Summary information concerning all extension decisions, including the name of the vessel and vessel owner, the term of the extension, and the basis for the extension will be promptly posted on the Internet. Extensions will be for no longer than the minimum time needed, as determined by the Coast Guard, for the vessel to comply with the requirements of § 151.1510.

(1158)

§151.1514 Vessel safety.

(1159) Nothing in this subpart relieves the master of the responsibility for ensuring the safety and stability of the vessel or the safety of the crew and passengers, or any other responsibility.

(1160)

§151.1515 Ballast water management alternatives under extraordinary conditions.

(1161) (a) As long as ballast water exchange (BWE) remains an option under the schedule in §151.1512(b) of this subpart, the master of any vessel subject to this subpart who uses BWE to meet the requirements of this subpart and, due to weather, equipment failure, or other extraordinary conditions, is unable to effect a BWE before entering the Exclusive Economic Zone, and intends to discharge ballast water into the waters of the United States, must request permission from the Captain of the Port (COTP) to exchange the vessel's ballast water within an area agreed to by the COTP at the time of the request and then discharge the vessel's ballast water within that designated area.

(1162) (b) Once BWE is no longer an option under the schedule in §151.1512(b) of this subpart, if the ballast water management system required by this subpart stops operating properly during a voyage or the vessel's BWM method is unexpectedly unavailable, the master, owner, operator, agent, or person in charge of the vessel must ensure that the problem is reported to the COTP as soon as practicable. The vessel may continue to the next port of call, subject to the directions of the COTP or the Ninth District Commander, as provided by 33 CFR part 160.

(1163)

§151.1516 Compliance monitoring.

(1164) (a) The master of each vessel equipped with ballast tanks must provide the following information, in written form, to the Captain of the Port (COTP):

(1165) (1) The vessel's name, port of registry, and official number or call sign.

(1166) (2) The name of the vessel's owner(s).

(1167) (3) Whether ballast water is being carried.

(1168) (4) The original location and salinity, if known, of ballast water taken on, before an exchange.

(1169) (5) The location, date, and time of any ballast water exchange.

(1170) (6) The salinity of any ballast water to be discharged into the territorial waters of the United States.

(1171) (7) The intended discharge port for ballast water and location for disposal of sediment carried upon entry into the territorial water of the United States, if ballast water or sediment are to be discharged.

(1172) (8) The signature of the master attesting to the accuracy of the information provided and certifying compliance with the requirements of this subpart.

(1173) (b) The COTP may take samples of ballast water to assess the compliance with, and the effectiveness of, this subpart.

(1174)

§151.1518 Penalties for failure to conduct ballast water management.

(1175) (a) A person who violates this subpart is liable for a civil penalty in an amount not to exceed $27,500. Each day of a continuing violation constitutes a separate violation. A vessel operated in violation of the regulations is liable in rem for any civil penalty assessed under this subpart for that violation.

(1176) (b) A person who knowingly violates the regulations of this subpart is guilty of a class C felony.

(1177)

Part 160–Portsand Waterways Safety–General

(1178)

Subpart A–General

(1179)

§160.1 Purpose.

(1180) (a) This subchapter contains regulations implementing the Ports and Waterways Safety Act (33 U.S.C. 1221) and related statutes.

(1181)

§160.3 Definitions.

(1182) For the purposes of this subchapter:

(1183) *Bulk* means material in any quantity that is shipped, stored, or handled without the benefit of package, label, mark or count and carried in integral or fixed independent tanks.

(1184) *Captain of the Port* means the Coast Guard officer designated by the Commandant to command a Captain of the Port Zone as described in part 3 of this chapter.

(1185) *Commandant* means the Commandant of the United States Coast Guard.

(1186) *Deviation* means any departure from any rule in this subchapter.

(1187) *Director, Vessel Traffic Services* means the Coast Guard officer designated by the Commandant to command a Vessel Traffic Service (VTS) as described in part 161 of this chapter.

(1188) *District Commander* means the Coast Guard officer designated by the Commandant to command a Coast Guard District as described in part 3 of this chapter.

(1189) *ETA* means estimated time of arrival.

(1190) *Length of Tow* means, when towing with a hawser, the length in feet from the stern of the towing vessel to the stern of the last vessel in tow. When pushing ahead or towing alongside, length of tow means the tandem length in feet of the vessels in tow excluding the length of the towing vessel.

(1191) *Person* means an individual, firm, corporation, association, partnership, or governmental entity.

(1192) *State* means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Trust Territories of the Pacific Islands, the Commonwealth of the Northern Marianas Islands, and any other commonwealth, territory, or possession of the United States.

(1193) *Tanker* means a self-propelled tank vessel constructed or adapted primarily to carry oil or hazardous materials in bulk in the cargo spaces.

(1194) *Tank Vessel* means a vessel that is constructed or adapted to carry, or that carries, oil or hazardous material in bulk as cargo or cargo residue.

(1195) *Vehicle* means every type of conveyance capable of being used as a means of transportation on land.

(1196) *Vessel* means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water.

(1197) *Vessel Traffic Services (VTS)* means a service implemented under Part 161 of this chapter by the United States Coast Guard designed to improve the safety and efficiency of vessel traffic and to protect the environment. The VTS has the capability to interact with marine traffic and respond to traffic situations developing in the VTS area.

(1198) *Vessel Traffic Service Area or VTS Area* means the geographical area encompassing a specific VTS area of service as described in Part 161 of this chapter. This area of service may be subdivided into sectors for the purpose of allocating responsibility to individual Vessel Traffic Centers or to identify different operating requirements.

(1199) **Note:** Although regulatory jurisdiction is limited to the navigable waters of the United States, certain vessels will be encouraged or may be required, as a condition of port entry, to report beyond this area to facilitate traffic management within the VTS area.

(1200) *VTS Special Area* means a waterway within a VTS area in which special operating requirements apply.

(1201)

§160.5 Delegations.

(1202) (a) District Commanders and Captains of the Ports are delegated the authority to establish safety zones.

(1203) (b) Under the provisions of 33 CFR 6.04-1 and 6.04-6, District Commanders and Captains of the Ports have been delegated authority to establish security zones.

(1204) (c) Under the provisions 33 CFR §1.05-1, District Commanders have been delegated authority to establish regulated navigation areas.

(1205) (d) Subject to the supervision of the cognizant Captain of the Port and District Commander, Directors, Vessel Traffic Services are delegated authority under 33 CFR 1.01-30 to discharge the duties of the Captain of the Port that involve directing the operation, movement and anchorage of vessels within a Vessel Traffic Service area including management of vessel traffic within anchorages, regulated navigation areas and safety zones, and to enforce Vessel Traffic Service and ports and waterways safety regulations. This authority may be exercised by Vessel Traffic Center personnel. The Vessel Traffic Center may, within the Vessel Traffic Service area, provide information, make recommendations, or to a vessel required under Part 161 of this chapter to participate in a Vessel Traffic Service, issue an order, including an order to operate or anchor as directed; require the vessel to comply with orders issued; specify times of entry, movement or departure; restrict operations as necessary for safe operation under the circumstances; or take other action necessary for control of the vessel and the safety of the port or of the marine environment.

(1206)

§160.7 Appeals.

(1207) (a) Any person directly affected by a safety zone or an order or direction issued under this subchapter may request reconsideration by the official who issued it or in whose name it was issued. This request may be made orally or in writing, and the decision of the official receiving the request may be rendered orally or in writing.

(1208) (b) Any person directly affected by the establishment of a safety zone or by an order or direction issued by, or on behalf of, a Captain of the Port may appeal to the District Commander through the Captain of the Port. The appeal must be in writing, except as allowed under paragraph (e) of this section, and shall contain complete supporting documentation and evidence which the appellant wishes to have considered. Upon receipt of the appeal, the District Commander may direct a representative to gather and submit documentation or other evidence which would be necessary or helpful to a resolution of the appeal. A copy of this documentation and evidence is made available to the appellant. The appellant is afforded five working days from the date of receipt to submit rebuttal materials.

Following submission of all materials, the District Commander issues a ruling, in writing, on the appeal. Prior to issuing the ruling, the District Commander may, as a matter of discretion, allow oral presentation on the issues.

(1209) (c) Any person directly affected by the establishment of a safety zone or by an order or direction issued by, or on behalf of, a District Commander, or who receives an unfavorable ruling on an appeal taken under paragraph (b) of this section may appeal to the Area Commander through the District Commander. The appeal must be in writing, except as allowed under paragraph (e) of this section, and shall contain complete supporting documentation and evidence which the appellant wishes to have considered. Upon receipt of the appeal, the Area Commander may direct a representative to gather and submit documentation or other evidence which would be necessary or helpful to a resolution of the appeal. A copy of this documentation and evidence is made available to the appellant. The appellant is afforded five working days from the date of receipt to submit rebuttal materials. Following submission of all materials, the Area Commander issues a ruling, in writing, on the appeal. Prior to issuing the ruling, the Area Commander may, as a matter of discretion, allow oral presentation on the issues.

(1210) (d) Any person who receives an unfavorable ruling on an appeal taken under paragraph (c) of this section, may appeal to the Commandant (CG–5P), Attn: Assistant Commandant for Prevention, U.S. Coast Guard Stop 7501, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593–7501. The appeal must be in writing, except as allowed under paragraph (e) of this section. The Area Commander forwards the appeal, all the documents and evidence which formed the record upon which the order or direction was issued or the ruling under paragraph (c) of this section was made, and any comments which might be relevant, to the Assistant Commandant for Prevention. A copy of this documentation and evidence is made available to the appellant. The appellant is afforded 5 working days from the date of receipt to submit rebuttal materials to the Assistant Commandant for Prevention. The decision of the Assistant Commandant for Prevention is based upon the materials submitted, without oral argument or presentation. The decision of the Assistant Commandant for Prevention is issued in writing and constitutes final agency action.

(1211) (e) If the delay in presenting a written appeal would have significant adverse impact on the appellant, the appeal under paragraphs (b) and (c) of this section may initially be presented orally. If an initial presentation of the appeal is made orally, the appellant must submit the appeal in writing within five days of the oral presentation to the Coast Guard official to whom the presentation was made. The written appeal must contain, at a minimum, the basis for the appeal and a summary of the material presented orally. If requested, the official to whom the appeal is directed may stay the effect of the action while the ruling is being appealed.

(1212)

Subpart B–Control of Vessel and Facility Operations

(1213)

§160.101 Purpose.

(1214) This subpart describes the authority exercised by District Commanders and Captains of the Ports to insure the safety of vessels and waterfront facilities, and the protection of the navigable waters and the resources therein. The controls described in this subpart are directed to specific situations and hazards.

(1215)

§160.103 Applicability.

(1216) (a) This subpart applies to any–

(1217) (1) Vessel on the navigable waters of the United States, except as provided in paragraphs (b) and (c) of this section;

(1218) (2) Bridge or other structure on or in the navigable waters of the United States; and

(1219) (3) Land structure or shore area immediately adjacent to the navigable waters of the United States.

(1220) (b) This subpart does not apply to any vessel on the Saint Lawrence Seaway.

(1221) (c) Except pursuant to international treaty, convention, or agreement, to which the United States is a party, this subpart does not apply to any foreign vessel that is not destined for, or departing from, a port or place subject to the jurisdiction of the United States and that is in -

(1222) (1) Innocent passage through the territorial sea of the United States;

(1223) (2) Transit through the navigable waters of the United States which form a part of an international strait.

(1224)

§160.105 Compliance with orders.

(1225) Each person who has notice of the terms of an order issued under this subpart must comply with that order.

(1226)

§160.107 Denial of entry.

(1227) Each District Commander or Captain of the Port, subject to recognized principles of international law, may deny entry into the navigable waters of the United States or to any port or place under the jurisdiction of the United States, and within the district or zone of that District Commander or Captain of the Port, to any vessel not in compliance with the provisions of the Port and Tanker Safety Act (33 U.S.C. 1221-1232) or the regulations issued thereunder.

(1228)

§160.109 Waterfront facility safety.

(1229) (a) To prevent damage to, or destruction of, any bridge or other structure on or in the navigable waters of the United States, or any land structure or shore area

immediately adjacent to those waters, and to protect the navigable waters and the resources therein from harm resulting from vessel or structure damage, destruction, or loss, each District Commander or Captain of the Port may–

(1230) (1) Direct the handling, loading, unloading, storage, stowage, and movement (including the emergency removal, control, and disposition) of explosives or other dangerous articles and substances, including oil or hazardous material as those terms are defined in 46 U.S.C. 2101 on any structure on or in the navigable waters of the United States, or any land structure or shore area immediately adjacent to those waters; and

(1231) (2) Conduct examinations to assure compliance with the safety equipment requirements for structures.

(1232)

§160.111 Special orders applying to vessel operations.

(1233) Each District Commander or Captain of the Port may order a vessel to operate or anchor in the manner directed when -

(1234) (a) The District Commander or Captain of the Port has reasonable cause to believe that the vessel is not in compliance with any regulation, law or treaty;

(1235) (b) The District Commander or Captain of the Port determines that the vessel does not satisfy the conditions for vessel operation and cargo transfers specified in §160.113; or

(1236) (c) The District Commander or Captain of the Port has determined that such order is justified in the interest of safety by reason of weather, visibility, sea conditions, temporary port congestion, other temporary hazardous circumstances, or the condition of the vessel.

(1237)

§160.113 Prohibition of vessel operation and cargo transfers.

(1238) (a) Each District Commander or Captain of the Port may prohibit any vessel, subject to the provisions of chapter 37 of Title 46, U.S. Code from operating in the navigable waters of the United States, or from transferring cargo or residue in any port or place under the jurisdiction of the United States, and within the district or zone of that District Commander or Captain of the Port, if the District Commander or the Captain of the Port determines that the vessel's history of accidents, pollution incidents, or serious repair problems creates reason to believe that the vessel may be unsafe or pose a threat to the marine environment.

(1239) (b) The authority to issue orders prohibiting operation of the vessels or transfer of cargo or residue under paragraph (a) of this section also applies if the vessel:

(1240) (1) Fails to comply with any applicable regulation;

(1241) (2) Discharges oil or hazardous material in violation of any law or treaty of the United States;

(1242) (3) Does not comply with applicable vessel traffic service requirements;

(1243) (4) While underway, does not have at least one deck officer on the navigation bridge who is capable of communicating in the English language.

(1244) (c) When a vessel has been prohibited from operating in the navigable waters of the United States under paragraphs (a) or (b) of this section, the District Commander or Captain of the Port may allow provisional entry into the navigable waters of the United States, or into any port or place under the jurisdiction of the United States and within the district or zone of that District Commander or Captain of the Port, if the owner or operator of such vessel proves to the satisfaction of the District Commander or Captain of the Port, that the vessel is not unsafe or does not pose a threat to the marine environment, and that such entry is necessary for the safety of the vessel or the persons on board.

(1245) (d) A vessel which has been prohibited from operating in the navigable waters of the United States, or from transferring cargo or residue in a port or place under the jurisdiction of the United States under the provisions of paragraph (a) or (b)(1), (2) or (3) of this section, may be allowed provisional entry if the owner or operator proves, to the satisfaction of the District Commander or Captain of the Port that has jurisdiction, that the vessel is no longer unsafe or a threat to the environment, and that the condition which gave rise to the prohibition no longer exists.

(1246)

§160.115 Withholding of clearance.

(1247) (a) Each District Commander or Captain of the Port may request the Secretary of the Treasury, or the authorized representative thereof, to withhold or revoke the clearance required by 46 U.S.C. App. 91 of any vessel, the owner or operator of which is subject to any penalties under 33 U.S.C. 1232.

(1248)

Subpart C–Notification of Arrival, Hazardous Conditions, and Certain Dangerous Cargoes

(1249)

§160.201 General.

(1250) This subpart contains requirements and procedures for submitting a notice of arrival (NOA), and a notice of hazardous condition. The sections in this subpart describe:

(1251) (a) Applicability and exemptions from requirements in this subpart;

(1252) (b) Required information in an NOA;

(1253) (c) Required updates to an NOA;

(1254) (d) Methods and times for submission of an NOA, and updates to an NOA;

(1255) (e) How to obtain a waiver; and

(1256) (f) Requirements for submission of the notice of hazardous condition.

(1257) **Note to §160.201.** For notice-of-arrival requirements for the U.S. Outer Continental Shelf, see 33 CFR part 146.

(1258)

§160.202 Definitions.

(1259) Terms in this subpart that are not defined in this section or in §160.3 have the same meaning as those terms in 46 U.S.C. 2101. As used in this subpart—

(1260) *Agent* means any person, partnership, firm, company or corporation engaged by the owner or charterer of a vessel to act in their behalf in matters concerning the vessel.

(1261) *Barge* means a non-self propelled vessel engaged in commerce.

(1262) *Boundary waters* mean the waters from main shore to main shore of the lakes and rivers and connecting waterways, or the portions thereof, along which the international boundary between the United States and the Dominion of Canada passes, including all bays, arms, and inlets thereof, but not including tributary waters which in their natural channels would flow into such lakes, rivers, and waterways, or waters flowing from such lakes, rivers, and waterways, or the waters of rivers flowing across the boundary.

(1263) *Carried in bulk* means a commodity that is loaded or carried on board a vessel without containers or labels and received and handled without mark or count.

(1264) *Certain dangerous cargo* (CDC) includes any of the following:

(1265) (1) Division 1.1 or 1.2 explosives as defined in 49 CFR 173.50.

(1266) (2) Division 1.5D blasting agents for which a permit is required under 49 CFR 176.415 or, for which a permit is required as a condition of a Research and Special Programs Administration exemption.

(1267) (3) Division 2.3 "poisonous gas", as listed in 49 CFR 172.101 that is also a "material poisonous by inhalation" as defined in 49 CFR 171.8, and that is in a quantity in excess of 1 metric ton per vessel.

(1268) (4) Division 5.1 oxidizing materials for which a permit is required under 49 CFR 176.415 or for which a permit is required as a condition of a Research and Special Programs Administration exemption.

(1269) (5) A liquid material that has a primary or subsidiary classification of Division 6.1 "poisonous material" as listed 49 CFR 172.101 that is also a "material poisonous by inhalation," as defined in 49 CFR 171.8 and that is in a bulk packaging, or that is in a quantity in excess of 20 metric tons per vessel when not in a bulk packaging.

(1270) (6) Class 7, "highway route controlled quantity" radioactive material or "fissile material, controlled shipment," as defined in 49 CFR 173.403.

(1271) (7) All bulk liquefied gas cargo carried under 46 CFR 151.50-31 or listed in 46 CFR 154.7 that is flammable and/or toxic and that is not carried as certain dangerous cargo residue (CDC residue).

(1272) (8) The following bulk liquids except when carried as CDC residue:

(1273) (i) Acetone cyanohydrin;

(1274) (ii) Allyl alcohol;

(1275) (iii) Chlorosulfonic acid;

(1276) (iv) Crotonaldehyde;

(1277) (v) Ethylene chlorohydrin;

(1278) (vi) Ethylene dibromide;

(1279) (vii) Methacrylonitrile;

(1280) (viii) Oleum (fuming sulfuric acid); and

(1281) (ix) Propylene oxide, alone or mixed with ethylene oxide.

(1282) (9) The following bulk solids:

(1283) (i) Ammonium nitrate listed as Division 5.1 (oxidizing) material in 49 CFR 172.101 except when carried as CDC residue; and

(1284) (ii) Ammonium nitrate based fertilizer listed as a Division 5.1 (oxidizing) material in 49 CFR 172.101 except when carried as CDC residue.

(1285) *Certain dangerous cargo residue (CDC residue)* includes any of the following:

(1286) (1) Ammonium nitrate in bulk or ammonium nitrate based fertilizer in bulk remaining after all saleable cargo is discharged, not exceeding 1,000 pounds in total and not individually accumulated in quantities exceeding two cubic feet.

(1287) (2) For bulk liquids and liquefied gases, the cargo that remains onboard in a cargo system after discharge that is not accessible through normal transfer procedures, with the exception of the following bulk liquefied gas cargoes carried under 46 CFR 151.50-31 or listed in 46 CFR 154.7:

(1288) (i) Ammonia, anhydrous;

(1289) (ii) Chlorine;

(1290) (iii) Ethane;

(1291) (iv) Ethylene oxide;

(1292) (v) Methane (LNG);

(1293) (vi) Methyl bromide;

(1294) (vii) Sulfur dioxide; and

(1295) (viii) Vinyl chloride.

(1296) *Charterer* means the person or organization that contracts for the majority of the carrying capacity of a ship for the transportation of cargo to a stated port for a specified period. This includes "time charterers" and "voyage charterers."

(1297) *Crewmember* means all persons carried on board the vessel to provide navigation and maintenance of the vessel, its machinery, systems, and arrangements essential for propulsion and safe navigation or to provide services for other persons on board.

(1298) *Embark* means when a crewmember or a person in addition to the crew joins the vessel.

(1299) *Ferry schedule* means a published document that:

(1300) (1) Identifies locations a ferry travels to and from;

(1301) (2) Lists the times of departures and arrivals; and

(1302) (3) Identifies the portion of the year in which the ferry maintains this schedule.

(1303) *Foreign vessel* means a vessel of foreign registry or operated under the authority of a country except the United States.

(1304) *Great Lakes* means Lakes Superior, Michigan, Huron, Erie, and Ontario, their connecting and tributary

waters, the Saint Lawrence River as far as Saint Regis, and adjacent port areas.

(1305) *Gross tons* means the tonnage determined by the tonnage authorities of a vessel's flag state in accordance with the national tonnage rules in force before the entry into force of the International Convention on Tonnage Measurement of Ships, 1969 ("Convention"). For a vessel measured only under Annex I of the Convention, gross tons means that tonnage. For a vessel measured under both systems, the higher gross tonnage is the tonnage used for the purposes of the 300-gross-ton threshold.

(1306) *Hazardous condition* means any condition that may adversely affect the safety of any vessel, bridge, structure, or shore area or the environmental quality of any port, harbor, or navigable waterway of the United States. It may, but need not, involve collision, allision, fire, explosion, grounding, leaking, damage, injury or illness of a person aboard, or manning-shortage.

(1307) *Nationality* means the state (nation) in which a person is a citizen or to which a person owes permanent allegiance.

(1308) *Operating exclusively within a single Captain of the Port zone* refers to vessel movements within the boundaries of a single COTP zone, *e.g.*, from one dock to another, one berth to another, one anchorage to another, or any combination of such transits. Once a vessel has arrived in a port in a COPT zone, it would not be considered as departing from a port or place simply because of its movements within that specific port.

(1309) *Operator* means any person including, but not limited to, an owner, a charterer, or another contractor who conducts, or is responsible for, the operation of a vessel.

(1310) *Persons* in addition to crewmembers mean any person onboard the vessel, including passengers, who are not included on the list of crewmembers.

(1311) *Port or place of departure* means any port or place in which a vessel is anchored or moored.

(1312) *Port or place of destination* means any port or place in which a vessel is bound to anchor or moor.

(1313) *Public vessel* means a vessel that is owned or demise-(bareboat) chartered by the government of the United States, by a State or local government, or by the government of a foreign country and that is not engaged in commercial service.

(1314) *Time charterer* means the party who hires a vessel for a specific amount of time. The owner and his crew manage the vessel, but the charterer selects the ports of destination.

(1315) *Voyage charterer* means the party who hires a vessel for a single voyage. The owner and his crew manage the vessel, but the charterer selects the ports of destination.

(1316)

§160.203 Applicability.

(1317) (a) This subpart applies to the following vessels that are bound for or departing from ports or places within the navigable waters of the United States, as defined in 33 CFR 2.36(a), which includes internal waters and the territorial seas of the United States, and any deepwater port as defined in 33 CFR 148.5:

(1318) (1) U.S. vessels in commercial service, and

(1319) (2) All foreign vessels.

(1320) (b) Unless otherwise specified in this subpart, the owner, agent, master, operator, or person in charge of a vessel regulated by this subpart is responsible for compliance with the requirements in this subpart.

(1321) (c) Towing vessels controlling a barge or barges required to submit an NOA under this subpart must submit only one NOA containing the information required for the towing vessel and each barge under its control.

(1322)

§160.204 Exemptions and exceptions.

(1323) (a) Except for reporting notice of hazardous conditions, the following vessels are exempt from requirements in this subpart:

(1324) (1) A passenger or offshore supply vessel when employed in the exploration for or in the removal of oil, gas, or mineral resources on the continental shelf.

(1325) (2) An oil spill response vessel (OSRV) when engaged in actual spill response operations or during spill response exercises.

(1326) (3) After December 31, 2015, a vessel required by 33 CFR 165.830 or 165.921 to report its movements, its cargo, or the cargo in barges it is towing.

(1327) (4) A United States or Canadian vessel engaged in the salving operations of any property wrecked, or rendering aid and assistance to any vessels wrecked, disabled, or in distress, in waters specified in Article II of the 1908 Treaty of Extradition, Wrecking and Salvage (35 Stat. 2035; Treaty Series 502).

(1328) (5) The following vessels neither carrying certain dangerous cargo nor controlling another vessel carrying certain dangerous cargo:

(1329) (i) A foreign vessel 300 gross tons or less not engaged in commercial service.

(1330) (ii) A vessel operating exclusively within a single Captain of the Port zone. Captain of the Port zones are defined in 33 CFR part 3.

(1331) (iii) A U.S. towing vessel and a U.S. barge operating solely between ports or places of the contiguous 48 states, Alaska, and the District of Columbia.

(1332) (iv) A public vessel.

(1333) (v) Except for a tank vessel, a U.S. vessel operating solely between ports or places of the United States on the Great Lakes.

(1334) (vi) A U.S. vessel 300 gross tons or less, engaged in commercial service not coming from a foreign port or place.

(1335) (vii) Each ferry on a fixed route that is described in an accurate schedule that is submitted by the ferry operator, along with information in paragraphs (a)(5)(vii)(A) through (J) of this section, to the Captain of the Port for each port or place of destination listed in the schedule at least 24 hours in advance of the first date

(1354)

Table 160.206 – NOA Information Items

Required Information	Vessels neither carrying CDC nor controlling another vessel carrying CDC	Vessels carrying CDC or controlling another vessel carrying CDC
(1) Vessel Information		
(i) Name	X	X
(ii) Name of the registered owner	X	X
(iii) Country of registry	X	X
(iv) Call sign	X	X
(v) International Maritime Organization (IMO) international number or, if vessel does not have an assigned IMO international number, substitute with official number	X	X
(vi) Name of the operator	X	X
(vii) Name of the charterer	X	X
(viii) Name of classification society or recognized organization	X	X
(ix) Maritime Mobile Service Identity (MMSI) number, if applicable	X	X
(x) Whether the vessel is 300 gross tons or less (yes or no)	X	X
(xi) USCG Vessel Response Plan Control Number, if applicable	X	X
(2) Voyage Information		
(i) Names of last five foreign ports or places visited	X	X
(ii) Dates of arrival and departure for last five foreign ports or places visited	X	X
(iii) For the port or place of the United States to be visited, list the names of the receiving facility, the port or place, the city, and the state	X	X
(iv) For the port or place in the United States to be visited, the estimated date and time of arrival	X	X
(v) For the port or place in the United States to be visited, the estimated date and time of departure	X	X
(vi) The location (port or place and country) or position (latitude and longitude or waterway and mile marker) of the vessel at the time of reporting	X	X
(vii) The name and telephone number of a 24-hour point of contact	X	X
(viii) Whether the vessel's voyage time is less than 24 hours (yes or no)	X	X
(ix) Last port or place of departure	X	X
(x) Dates of arrival and departure for last port or place of departure	X	X
(3) Cargo Information		
(i) A general description of cargo, other than CDC, on board the vessel (e.g. grain, container, oil, etc.)	X	X
(ii) Name of each CDC carried, including cargo UN number, if applicable	–	X
(iii) Amount of each CDC carried	–	X
(4) Information for each Crewmember On Board		
(i) Full name	X	X
(ii) Date of birth	X	X
(iii) Nationality	X	X
(iv) Passport* or mariners document number (type of identification and number)	X	X
(v) Position or duties on the vessel	X	X
(vi) Where the crewmembers embarked (list port or place and country)	X	X
(5) Information for each Person On Board in Addition to Crew		
(i) Full name	X	X
(ii) Date of birth	X	X
(iii) Nationality	X	X
(iv) Passport number*	X	X
(v) Where the person embarked (list port or place and country)	X	X
(6) Operational condition of equipment required by 33 CFR part 164 of this chapter (see note to table)	X	X
(7) International Safety Management (ISM) Code Notice		
(i) The date of expiration for the company's Document of Compliance certificate that covers the vessel	X	X
(ii) The date of expiration for the vessel's Safety Management Certificate	X	X
(iii) The name of the Flag Administration, or the recognized organization(s) representing the vessel Flag Administration, that issued those certificates	X	X
(8) International Ship and Port Facility Code (ISPS) Notice		
(i) The date of issuance for the vessel's International Ship Security Certificate (ISSC), if any	X	X
(ii) Whether the ISSC, if any, is an initial Interim ISSC, subsequent and consecutive Interim ISSC, or final ISSC	X	X
(iii) Declaration that the approved ship security plan, if any, is being implemented	X	X
(iv) If a subsequent and consecutive Interim ISSC, the reasons therefore	X	X
(v) The name and 24-hour contact information for the Company Security Officer	X	X
(vi) The name of the Flag Administration, or the recognized security organization(s) representing the vessel Flag Administration that issued the ISSC	X	X

Note to Table 160.206. For items with an asterisk (*), see paragraph (b) of this section. Submitting a response for item 6 indicating that navigation equipment is not operating properly does not serve as notice to the District Commander, Captain of the Port, or Vessel Traffic Center, under 33 CFR 164.53.

and time of arrival listed on the schedule. At least 24 hours before the first date and time of arrival listed on the ferry schedule, each ferry operator who submits a schedule under paragraph (a)(5)(vii) of this section must also provide the following information to the Captain of the Port for each port or place of destination listed in the schedule for the ferry, and if the schedule or the following submitted information changes, the ferry operator must submit an updated schedule at least 24 hours in advance of the first date and time of arrival listed on the new schedule and updates on the following items whenever the submitted information is no longer accurate:

(1336) (A) Name of the vessel;

(1337) (B) Country of registry of the vessel;

(1338) (C) Call sign of the vessel;

(1339) (D) International Maritime Organization (IMO) international number or, if the vessel does not have an assigned IMO international number, the official number of the vessel;

(1340) (E) Name of the registered owner of the vessel;

(1341) (F) Name of the operator of the vessel;

(1342) (G) Name of the vessel's classification society or recognized organization, if applicable;

(1343) (H) Each port or place of destination;

(1344) (I) Estimated dates and times of arrivals at and departures from these ports or places; and

(1345) (J) Name and telephone number of a 24-hour point of contact.

(1346) (6) From April 30, 2015 through December 31, 2015, vessels identified as being subject to 33 CFR 165.830 or 165.921.

(1347) (b) A vessel less than 500 gross tons is not required to submit the International Safety Management (ISM) Code Notice (Entry 7 in Table 160.206 of §160.206).

(1348) (c) A U.S. vessel is not required to submit the International Ship and Port Facility Security (ISPS) Code Notice information (Entry 8 in Table 160.206 of §160.206).

(1349)

§160.205 Notices of arrival.

(1350) The owner, agent, Master, operator, or person in charge of a vessel must submit notices of arrival consistent with the requirements in this subpart.

(1351)

§160.206 Information required in an NOA.

(1352) (a) Information required. With the exceptions noted in paragraph (b) of this section, each NOA must contain all of the information items specified in Table 160.206. Vessel owners and operators should protect any personal information they gather in preparing notices for transmittal to the National Vessel Movement Center (NVMC) to prevent unauthorized disclosure of that information.

(1353) (b) Exceptions. If a crewmember or person on board other than a crewmember is not required to carry a passport for travel, then passport information required in Table 160.206 by items (4)(iv) and (5)(iv) need not be provided for that person.

(1355)

§160.208 Updates to a submitted NOA.

(1356) (a) Unless otherwise specified in this section, whenever events cause NOA information submitted for a vessel to become inaccurate, or the submitter to realize that data submitted was inaccurate, the owner, agent, Master, operator, or person in charge of that vessel must submit an update within the times required in § 160.212.

(1357) (b) Changes in the following information need not be reported:

(1358) (1) Changes in arrival or departure times that are less than six (6) hours;

(1359) (2) Changes in vessel location or position of the vessel at the time of reporting (entry (2)(vi) to Table 160.206); and

(1360) (3) Changes to crewmembers' position or duties on the vessel (entry (4)(vii) to Table 160.206).

(1361) (c) When reporting updates, revise and resubmit the NOA.

(1362)

§160.210 Methods for submitting an NOA.

(1363) (a) *National Vessel Movement Center (NVMC)*. Except as otherwise provided in this paragraph or paragraph (b) of this section, vessels must submit NOA information required by §160.206 to the NVMC using methods currently specified at *www.nvmc.uscg.gov*, which includes submission through the NVMC electronic Notice of Arrival and Departure (eNOAD) World Wide Web site, and XML, which includes the Excel Workbook format. These data may also be submitted using other methods that may be added as future options on *www.nvmc.uscg.gov*. XML spreadsheets may be submitted via email to *enoad@ nvmc.uscg.gov*. If a vessel operator must submit an NOA or an update, for a vessel in an area without internet access or when experiencing technical difficulties with an onboard computer, and he or she has no shore-side support available, the vessel operator may fax or phone the submission to the NVMC. Fax at 1–800–547–8724 or 304–264–2684. Workbook available at *www.nvmc.uscg.gov*; or, telephone at 1– 800–708–9823 or 304–264–2502.

(1364) (b) *Saint Lawrence Seaway*. Those vessels transiting the Saint Lawrence Seaway inbound, bound for a port or place in the United States, may meet the submission requirements of paragraph (a) of this section by submitting the required information to the Saint Lawrence Seaway Development Corporation and the Saint Lawrence Seaway Management Corporation of Canada using methods specified at *www.nvmc.uscg.gov*.

(1365)

§160.212 When to submit an NOA.

(1366) (a) *Submission of NOA*. (1) Except as set out in paragraph (a)(2) and (a)(3) of this section, all vessels must submit NOAs within the times required in paragraph (a)(4) of this section.

(1367) (2) Towing vessels, when in control of a vessel carrying CDC and operating solely between ports or places contiguous 48 states, Alaska, and the District of Columbia, must submit an NOA before departure but at least 12 hours before entering the port or place of destination.

(1368) (3) U.S. vessels 300 gross tons or less, arriving from a foreign port or place, and whose voyage time is less than 24 hours must submit an NOA at least 60 minutes before departure from the foreign port or place. Also, Canadian vessels 300 gross tons or less, arriving directly from Canada, via boundary waters, to a United States port or place on the Great Lakes, whose voyage time is less than 24 hours must submit an NOA at least 60 minutes before departure from the Canadian port or place.

(1369) (4) Times for submitting NOAs are as follows:

(1370)

If your voyage time is –	Then you must submit an NOA –
(i) 96 hours or more; or	At least 96 hours before arriving at the port or place of destination; or
(ii) Less than 96 hours	Before departure but at least 24 hours before arriving at the port or place of destination.

(1371) (b) *Submission of changes to NOA*. (1) Except as set out in paragraphs (b)(2) and (b)(3) of this section, vessels must submit updates in NOA information within the times required in paragraph (b)(4) of this section.

(1372) (2) Towing vessels, when in control of a vessel carrying CDC and operating solely between ports or places in the contiguous 48 states, Alaska, and the District of Columbia, must submit updates to an NOA as soon as practicable but at least 6 hours before entering the port or place of destination.

(1373) (3) U.S. vessels 300 gross tons or less, arriving from a foreign port or place, whose voyage time is—

(1374) (i) Less than 24 hours but greater than 6 hours, must submit updates to an NOA as soon as practicable, but at least 6 hours before entering the port or place of destination.

(1375) (ii) Less than or equal to 6 hours, must submit updates to an NOA as soon as practicable, but at least 60 minutes before departure from the foreign port or place

(1376) (4) Times for submitting updates to NOAs are as follows:

(1377)

If your remaining voyage time is –	Then you must submit updates to an NOA –
(i) 96 hours or more;	As soon as practicable, but at least 24 hours before arriving at the port or place of destination;
(ii) Less than 96 hours but not less than 24 hours; or	As soon as practicable, but at least 24 hours before arriving at the port or place of destination; or
(iii) Less than 24 hours	As soon as practicable, but at least 12 hours before arriving at the port or place of destination.

(1378)

§160.214 Waivers.

(1379) The Captain of the Port may waive, within that Captain of the Port's designated zone, any of the requirements of this subpart for any vessel or class of vessels upon finding that the vessel, route area of operations, conditions of the voyage, or other circumstances are such that application of this subpart is unnecessary or impractical for purposes of safety, environmental protection, or national security.

(1380)

§160.215 Force majeure.

(1381) When a vessel is bound for a port or place of the United States under force majeure, it must comply with the requirements in this section, but not other sections of this subpart. The vessel must report the following information to the nearest Captain of the Port as soon as practicable:

(1382) (a) The vessel Master's intentions;

(1383) (b) Any hazardous conditions as defined in §160.202; and

(1384) (c) If the vessel is carrying certain dangerous cargo or controlling a vessel carrying certain dangerous cargo, the amount and name of each CDC carried, including cargo UN number if applicable.

(1385)

§160.216 Notice of hazardous conditions.

(1386) (a) Whenever there is a hazardous condition either on board a vessel or caused by a vessel or its operation, the owner, agent, master, operator, or person in charge must immediately notify the nearest Coast Guard Sector Office or Group Office, and in addition submit any report required by 46 CFR 4.05-10.

(1387) (b) When the hazardous condition involves cargo loss or jettisoning as described in 33 CFR 97.115, the notification required by paragraph (a) of this section must include—

(1388) (1) What was lost, including a description of cargo, substances involved, and types of packages;

(1389) (2) How many were lost, including the number of packages and quantity of substances they represent;

(1390) (3) When the incident occurred, including the time of the incident or period of time over which the incident occurred;

(1391) (4) Where the incident occurred, including the exact or estimated location of the incident, the route the ship was taking, and the weather (wind and sea) conditions at the time or approximate time of the incident; and

(1392) (5) How the incident occurred, including the circumstances of the incident, the type of securing equipment that was used, and any other material failures that may have contributed to the incident.

(1393)

Part 161–VesselTraffic Management

(1394)

Subpart A–Vessel Traffic Services

(1395)

§161.1 Purpose and Intent.

(1396) (a) The purpose of this part is to promulgate regulations implementing and enforcing certain sections of the Ports and Waterways Safety Act (PWSA) setting up a national system of Vessel Traffic Services that will enhance navigation, vessel safety, and marine environmental protection and promote safe vessel movement by reducing the potential for collisions, rammings, and groundings, and the loss of lives and property associated with these incidents within VTS areas established hereunder.

(1397) (b) Vessel Traffic Services provide the mariner with information related to the safe navigation of a waterway. This information, coupled with the mariner's compliance with the provisions set forth in this part, enhances the safe routing of vessels through congested waterways or waterways of particular hazard. Under certain circumstances, a VTS may issue directions to control the movement of vessels in order to minimize the risk of collision between vessels, or damage to property or the environment.

(1398) (c) The owner, operator, charterer, master, or person directing the movement of a vessel remains at all times responsible for the manner in which the vessel is operated and maneuvered, and is responsible for the safe navigation of the vessel under all circumstances. Compliance with these rules or with a direction of the VTS is at all times contingent upon the exigencies of safe navigation.

(1399) (d) Nothing in this part is intended to relieve any vessel, owner, operator, charterer, master, or person directing the movement of a vessel from the consequences of any neglect to comply with this part or any other applicable law or regulations (e.g., the International Regulations for Prevention of Collisions at Sea, 1972 (72 COLREGS) or the Inland Navigation Rules) or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

(1400)

§161.2 Definitions.

(1401) For the purposes of this part:

(1402) *Cooperative Vessel Traffic Services (CVTS)* means the system of vessel traffic management established and jointly operated by the United States and Canada within adjoining waters. In addition, CVTS facilitates traffic movement and anchorages, avoids jurisdictional disputes, and renders assistance in emergencies in adjoining United States and Canadian waters.

(1403) *Hazardous Vessel Operating Condition* means any condition related to a vessel's ability to safely navigate or maneuver, and includes, but is not limited to:

(1404) (1) The absence or malfunction of vessel operating equipment, such as propulsion machinery, steering gear, radar system, gyrocompass, depth sounding device, automatic radar plotting aid (ARPA), radiotelephone, Automatic Identification System Shipborne equipment, navigational lighting, sound signaling devices or similar equipment.

(1405) (2) Any condition on board the vessel likely to impair navigation, such as lack of current nautical charts and publications, personnel shortage, or similar condition.

(1406) (3) Vessel characteristics that affect or restrict maneuverability, such as cargo or tow arrangement, trim, loaded condition, underkeel or overhead clearance, speed capabilities, power availability, or similar characteristics, which may affect the positive control or safe handling of the vessel or the tow.

(1407) *Precautionary Area* means a routing measure comprising an area within defined limits where vessels must navigate with particular caution and within which the direction of traffic may be recommended.

(1408) *Navigable waters* means all navigable waters of the United States including the territorial sea of the United States, extending to 12 nautical miles from United States baselines, as described in Presidential Proclamation No. 5928 of December 27, 1988.

(1409) *Towing Vessel* means any commercial vessel engaged in towing another vessel astern, alongside, or by pushing ahead.

(1410) *Vessel Movement Center (VMC)* means the shore-based facility that operates the vessel tracking system for a Vessel Movement Reporting System (VMRS) area or sector within such an area. The VMC does not necessarily have the capability or qualified personnel to interact with marine traffic, nor does it necessarily respond to traffic situations developing in the area, as does a Vessel Traffic Service (VTS).

(1411) *Vessel Movement Reporting System (VMRS)* means a mandatory reporting system used to monitor and track vessel movements. This is accomplished by a vessel providing information under established procedures as set forth in this part in the areas defined in Table 161.12(c) (VTS and VMRS Centers, Call Signs/MMSI, Designated Frequencies, and Monitoring Areas).

(1412) *Vessel Movement Reporting System (VMRS)* User means a vessel, or an owner, operator, charterer, Master, or person directing the movement of a vessel that is required to participate in a VMRS.

(1413) *Vessel Traffic Center (VTC)* means the shore-based facility that operates the vessel traffic service for the Vessel Traffic Service area or sector within such an area.

(1414) *Vessel Traffic Services (VTS)* means a service implemented by the United States Coast Guard designed to improve the safety and efficiency of vessel traffic and to protect the environment. The VTS has the capability

to interact with marine traffic and respond to traffic situations developing in the VTS area.

(1415) *Vessel Traffic Service Area or VTS Area* means the geographical area encompassing a specific VTS area of service. This area of service may be subdivided into sectors for the purpose of allocating responsibility to individual Vessel Traffic Centers or to identify different operating requirements.

(1416) **Note:** Although regulatory jurisdiction is limited to the navigable waters of the United States, certain vessels will be encouraged or may be required, as a condition of port entry, to report beyond this area to facilitate traffic management within the VTS area.

(1417) *VTS Special Area* means a waterway within a VTS area in which special operating requirements apply.

(1418) *VTS User* means a vessel or an owner, operator, charterer, Master, or person directing the movement of a vessel within a VTS area that is:

(1419) (1) Subject to the Vessel Bridge-to-Bridge Radiotelephone Act;

(1420) (2) Required to participate in a VMRS; or

(1421) (3) Equipped with a required Coast Guard type-approved Automatic Identification System (AIS).

(1422) *VTS User's Manual* means the manual established and distributed by the VTS to provide the mariner with a description of the services offered and rules in force for that VTS. Additionally, the manual may include chartlets showing the area and sector boundaries, general navigational information about the area, and procedures, radio frequencies, reporting provisions and other information which may assist the mariner while in the VTS area.

(1423)

§161.3 Applicability.

(1424) The provisions of this subpart shall apply to each VTS User and may also apply to any vessel while underway or at anchor on the navigable waters of the United States within a VTS area, to the extent the VTS considers necessary.

(1425)

§161.4 Requirement to carry the rules.

(1426) Each VTS User shall carry on board and maintain for ready reference a copy of these rules.

(1427) **Note:** These rules are contained in the applicable U.S. Coast Pilot, the VTS User's Manual which may be obtained by contacting the appropriate VTS, and periodically published in the Local Notice to Mariners. The VTS User's Manual and the World VTS Guide, an International Maritime Organization (IMO) recognized publication, contain additional information which may assist the prudent mariner while in the appropriate VTS area.

(1428)

§161.5 Deviations from the rules.

(1429) (a) Requests to deviate from any provision in this part, either for an extended period of time or if anticipated before the start of a transit, must be submitted in writing to the appropriate District Commander. Upon receipt of the written request, the District Commander may authorize a deviation if it is determined that such a deviation provides a level of safety equivalent to that provided by the required measure or is a maneuver considered necessary for safe navigation under the circumstances. An application for an authorized deviation must state the need and fully describe the proposed alternative to the required measure.

(1430) (b) Requests to deviate from any provision in this part due to circumstances that develop during a transit or immediately preceding a transit may be made to the appropriate Vessel Traffic Center (VTC). Requests to deviate must be made as far in advance as practicable. Upon receipt of the request, the VTC may authorize a deviation if it is determined that, based on vessel handling characteristics, traffic density, radar contacts, environmental conditions and other relevant information, such a deviation provides a level of safety equivalent to that provided by the required measure or is a maneuver considered necessary for safe navigation under the circumstances.

(1431)

§161.6 Preemption.

(1432) The regulations in this part have preemptive impact over State laws or regulations on the same subject matter. The Coast Guard has determined, after considering the factors developed by the Supreme Court in *U.S. v. Locke*, 529 U.S. 89 (2000), that by enacting Chapter 25 of the Ports and Waterways Safety Act (33 U.S.C. 1221 *et seq*.), Congress intended that Coast Guard regulations preempt State laws or regulations regarding vessel traffic services in United States ports and waterways.

(1433)

Services, VTS Measures, and Operating Requirements

(1434)

§161.10 Services.

(1435) To enhance navigation and vessel safety, and to protect the marine environment, a VTS may issue advisories, or respond to vessel requests for information, on reported conditions within the VTS area, such as:

(1436) (a) Hazardous conditions or circumstances;

(1437) (b) Vessel congestion;

(1438) (c) Traffic density;

(1439) (d) Environmental conditions;

(1440) (e) Aids to navigation status;

(1441) (f) Anticipated vessel encounters;

(1442) (g) Another vessel's name, type, position, hazardous vessel operating conditions, if applicable, and intended navigation movements, as reported;

(1443) (h) Temporary measures in effect;

(1444) (i) A description of local harbor operations and conditions, such as ferry routes, dredging, and so forth;

(1445) (j) Anchorage availability; or

(1446) (k) Other information or special circumstances.

(1453)

TABLE to §161.12(c)-VTS and VMRS Centers, Call Signs/MMSI, Designated Frequencies, and Monitoring Areas

Center MMSI[1] Call Sign	Designated frequency (Channel designation)—purpose[2]	Monitoring Area [3, 4]
Berwick Bay 003669950 *Berwick Traffic*	156.550 MHz (Ch. 11)	The waters south of 29°45'N, west of 91°10'W, north of 29°37'N, and east of 91°18'W.
Buzzards Bay *Buzzards Bay Control*[5]	156.600 MHz (Ch. 12)	The waters east and north of a line drawn from the southern tangent of Sakonnet Point, Rhode Island, in approximate position latitude 41°27.20′ N., longitude 71°11.70′ W., to the Buzzards Bay Entrance Light in approximate position latitude 41°23.8′ N., longitude 71°02.00′ W., and then to the southwestern tangent of Cuttyhunk Island, Massachusetts, at approximate position latitude 41°24.60′ N., longitude 70°57.00′ W., and including all of the Cape Cod Canal to its eastern entrance, except that the area of New Bedford harbor within the confines (north of) the hurricane barrier, and the passages through the Elizabeth Islands, is not considered to be ''Buzzards Bay''.
Houston-Galveston 003669954		The navigable waters north of 29°00.00′ N., west of 94°20.00′ W., south of 29°49.00′ N., and east of 95°20.00′ W.
Houston Traffic	156.550 MHz (Ch. 11) 156.250 MHz (Ch. 5A) —For sailing plans only	The navigable waters north of a line extending due west from the southern most end of Exxon Dock #1 (20°43.37' N, 95°01.27' W.)
Houston Traffic	156.600 MHz (Ch. 12) 156.250 MHz (Ch. 5A) —For sailing plans only	The navigable waters south of a line extending due west from the southern most end of Exxon Dock #1 (29°43.37' N, 95°01.27' W.).
Los Angeles/Long Beach 03660465 *San Pedro Traffic*	156.700 MHz (Ch. 14)	*Vessel Movement Reporting System Area*: The navigable waters within a 25 nautical mile radius of Point Fermin Light (33°42.30' N, 118°17.60' W.).
Louisville 003669732 *Louisville Traffic*	156.650 MHz (Ch. 13)	The waters of the Ohio River between McAlpine Locks (Mile 606) and Twelve Mile Island (Mile 593), only when the McAlpine upper pool gauge is at approximately 13.0 feet or above.
Lower Mississippi River 0036699952 *New Orleans Traffic*	156.550 MHz (Ch. 11)	The navigable waters of the Lower Mississippi River below 29°55.30' N, 89°55.60' W (Saxonholm Light) at 86.0 miles Above Head of Passes (AHP), extending down river to Southwest Pass, and, within a 12 nautical mile radius around 28°54.30' N, 89°25.70' W (Southwest Pass Entrance Light) at 20.1 miles Below Head of Passes.
New Orleans Traffic	156.600 MHz (Ch. 12)	The navigable waters of the Lower Mississippi River bounded on the north by a line drawn perpendicular on the river at 29°55.50′ N., 90°12.77′ W. (Upper Twelve Mile Point) at 109.0 miles AHP and on the south by a line drawn perpendicularly at 29°55.30′ N., 89°55.60′ W. (Saxonholm Light) at 86.0 miles AHP.
New Orleans Traffic	156.250 MHz (Ch. 05A)	The navigable waters of the Lower Mississippi River below 30°38.70′ N., 91°17.50′ W. (Port Hudson Light) at 254.5 miles AHP bounded on the south by a line drawn perpendicular on the river at 29°55.50′ N., 90°12.77′ W. (Upper Twelve Mile Point) at 109.0 miles AHP.
New York 003669951 *New York Traffic*	156.550 MHz (Ch. 11) —For sailing plans only 156.600 MHz (Ch. 12) —For vessels at anchor	The area consists of the navigable waters of the Lower New York Bay bounded on the east by a line drawn from Norton Point to Breezy Point; on the south by a line connecting the entrance buoys at the Ambrose Channel, Swash Channel, and Sandy Hook Channel to Sandy Hook Point; and on the southeast including the waters of Sandy Hook Bay south to a line drawn at latitude 40°25.00′ N.; then west in the Raritan Bay to the Raritan River Railroad Bridge, then north into waters of the Arthur Kill and Newark Bay to the Lehigh Valley Draw Bridge at latitude 40°41.90′ N.; and then east including the waters of the Kill Van Kull and the Upper New York Bay north to a line drawn east-west from the Holland Tunnel ventilator shaft at latitude 40°43.70′ N., longitude 74°01.60′ W., in the Hudson River; and then continuing east including the waters of the East River to the Throgs Neck Bridge, excluding the Harlem River.
New York Traffic	156.700 MHz (Ch. 14)	The navigable waters of the Lower New York Bay west of a line drawn from Norton Point to Breezy Point; and north of a line connecting the entrance buoys of Ambrose Channel, Swash Channel, and Sandy Hook Channel, to Sandy Hook Point; on the southeast including the waters of the Sandy Hook Bay south to a line drawn at latitude 40°25.00′ N.; then west into the waters of Raritan Bay East Reach to a line drawn from Great Kills Light south through Raritan Bay East Reach LGB #14 to Comfort PT, NJ; then north including the waters of the Upper New York Bay south of 40°42.40′ N. (Brooklyn Bridge) and 40°43.70′ N. (Holland Tunnel Ventilator Shaft); west through the KVK into the Arthur Kill north of 40°38.25′ N. (Arthur Kill Railroad Bridge); then north into the waters of the Newark Bay, south of 40°41.95′ N. (Lehigh Valley Draw Bridge).
New York Traffic	156.600 MHz (Ch. 12)	The navigable waters of the Raritan Bay south to a line drawn at latitude 40°26.00′ N.; then west of a line drawn from Great Kills Light south through the Raritan Bay East Reach LGB #14 to Point Comfort, NJ; then west to the Raritan River Railroad Bridge; and north including the waters of the Arthur Kill to 40°28.25′ N. (Arthur Kill Railroad Bridge); including the waters of the East River north of 40°42.40′ N. (Brooklyn Bridge) to the Throgs Neck Bridge, excluding the Harlem River.

(1454)

TABLE to §161.12(c)-VTS and VMRS Centers, Call Signs/MMSI, Designated Frequencies, and Monitoring Areas

Center MMSI[1] Call Sign	Designated frequency (Channel designation)—purpose[2]	Monitoring Area [3, 4]
Port Arthur 003669955 *Port Arthur Traffic*	156.050 MHz (Ch. 01A)	The navigable waters of the Sabine-Neches Canal south of 29°52.70′ N.; Port Arthur Canal; Sabine Pass Channel; Sabine Bank Channel; Sabine Outer Bar Channel; the offshore safety fairway; and the ICW from High Island to its intersection with the Sabine-Neches Canal.
Port Arthur Traffic	156.275 MHz (Ch. 65A)	The navigable waters of the Neches River; Sabine River; and Sabine-Neches Waterway north of 29°52.70′ N.; and the ICW from its intersection with the Sabine River to MM 260.
Port Arthur Traffic	156.675 MHz (Ch. 73)[6]	The navigable waters of the Calcasieu Channel; Calcasieu River Channel; and the ICW from MM 260 to MM 191.
Prince William Sound 003669958 *Valdez Traffic*	156.650 MHz (Ch. 13)	The navigable waters south of 61°05.00′ N., east of 147°20.00′ W., north of 60°00.00′ N., and west of 146°30.00′ W.; and, all navigable waters in Port Valdez.
Puget Sound[7] *Seattle Traffic* 003669957	156.700 MHz (Ch. 14)	The waters of Puget Sound, Hood Canal and adjacent waters south of a line connecting Nodule Point and Bush Point in Admiralty Inlet and south of a line drawn due east from the southernmost tip of Possession Point on Whidbey Island to the shoreline.
Seattle Traffic 003669957	156.250 MHz (Ch. 5A)	The waters of the Strait of Juan de Fuca east of 124°40.00′ W. excluding the waters in the central portion of the Strait of Juan de Fuca north and east of Race Rocks; the navigable waters of the Strait of Georgia east of 122°52.00′ W.; the San Juan Island Archipelago, Rosario Strait, Bellingham Bay; Admiralty Inlet north of a line connecting Nodule Point and Bush Point and all waters east of Whidbey Island north of a line drawn due east from the southernmost tip of Possession Point on Whidbey Island to the shoreline.
Tofino Traffic 003160012	156.725 MHz (Ch. 74)	The waters west of 124°40.00′ W. within 50 nautical miles of the coast of Vancouver Island including the waters north of 48°00.00′ N., and east of 127°00.00′ W.
Victoria Traffic 003160010	156.550 MHz (Ch. 11)	The waters of the Strait of Georgia west of 122°52.00′ W., the navigable waters of the central Strait of Juan de Fuca north and east of Race Rocks, including the Gulf Island Archipelago, Boundary Pass and Haro Strait.
San Francisco 003669956 *San Francisco Traffic*	156.700 MHz (Ch. 14)	The navigable waters of the San Francisco Offshore Precautionary Area, the navigable waters shoreward of the San Francisco Offshore Precautionary Area east of 122°42.00′ W. and north of 37°40.00′ N. extending eastward through the Golden Gate, and the navigable waters of San Francisco Bay and as far east as the port of Stockton on the San Joaquin River, as far north as the port of Sacramento on the Sacramento River.
San Francisco Traffic	156.600 MHz (Ch. 12)	The navigable waters within a 38 nautical mile radius of Mount Tamalpais (37°55.80′ N., 122°34.60′ W.) west of 122°42.00′ W. and south of 37°40.00′ N. and excluding the San Francisco Offshore Precautionary Area.
St. Marys River 003669953 *Soo Traffic*	156.600 MHz (Ch. 12)	The waters of the St. Mary's River and lower Whitefish Bay from 45°57.00′ N. (De Tour Reef Light) to the south, to 46°38.70′ N. (Ile Parisienne Light) to the north, except the waters of the St. Mary's Falls Canal and to the east along a line from La Pointe to Sims Point, within Potagannissing Bay and Worsley Bay.

Notes:

[1] Maritime Mobile Service Identifier (MMSI) is a unique nine-digit number assigned that identifies ship stations, ship earth stations, coast stations, coast earth stations, and group calls for use by a digital selective calling (DSC) radio, an INMARSAT ship earth station or AIS. AIS requirements are set forth in §§161.21 and 164.46 of this subchapter. The requirements set forth in §161.21 of this subchapter apply in those areas denoted with an MMSI number, except for Louisville and Los Angeles/Long Beach.

[2] In the event of a communication failure, difficulties or other safety factors, the Center may direct or permit a user to monitor and report on any other designated monitoring frequency or the bridge-to-bridge navigational frequency, 156.650 MHz (Channel 13) or 156.375 MHz (Ch. 67), to the extent that doing so provides a level of safety beyond that provided by other means. The bridge-to-bridge navigational frequency, 156.650 MHz (Ch. 13), is used in certain monitoring areas where the level of reporting does not warrant a designated frequency.

[3] All geographic coordinates (latitude and longitude) are expressed in North American Datum of 1983 (NAD 83).

[4] Some monitoring areas extend beyond navigable waters. Although not required, users are strongly encouraged to maintain a listening watch on the designated monitoring frequency in these areas. Otherwise, they are required to maintain watch as stated in 47 CFR 80.148.

[5] In addition to the vessels denoted in Section 161.16 of this chapter, requirements set forth in subpart B of 33 CFR part 161 also apply to any vessel transiting VMRS Buzzards Bay required to carry a bridge-to-bridge radiotelephone by part 26 of this chapter.

[6] Until otherwise directed, full VTS services will not be available in the Calcasieu Channel, Calcasieu River Channel, and the ICW from MM 260 to MM 191. Vessels may contact Port Arthur Traffic on the designated VTS frequency to request advisories, but are not required to monitor the VTS frequency in this sector.

[7] A Cooperative Vessel Traffic Service was established by the United States and Canada within adjoining waters. The appropriate Center administers the rules issued by both nations; however, enforces only its own set of rules within its jurisdiction. Note, the bridge-to-bridge navigational frequency, 156.650 MHz (Ch. 13), is not so designated in Canadian waters, therefore users are encouraged and permitted to make passing arrangements on the designated monitoring frequencies.

(1447)

§161.11 VTS measures.

(1448) (a) A VTS may issue measures or directions to enhance navigation and vessel safety and to protect the marine environment, such as, but not limited to:

(1449) (1) Designating temporary reporting points and procedures;

(1450) (2) Imposing vessel operating requirements; or

(1451) (3) Establishing vessel traffic routing schemes.

(1452) (b) During conditions of vessel congestion, restricted visibility, adverse weather, or other hazardous circumstances, a VTS may control, supervise, or otherwise manage traffic, by specifying times of entry, movement, or departure to, from, or within a VTS area.

(1455)

§161.12 Vessel operating requirements.

(1456) (a) Subject to the exigencies of safe navigation, a VTS User shall comply with all measures established or directions issued by a VTS.

(1457) (b) If, in a specific circumstance, a VTS User is unable to safely comply with a measure or direction issued by the VTS, the VTS User may deviate only to the extent necessary to avoid endangering persons, property or the environment. The deviation shall be reported to the VTS as soon as is practicable.

(1458) (c) When not exchanging voice communications, a VTS User must maintain a listening watch as required by §26.04(e) of this chapter on the VTS frequency designated in Table 161.12(c) (VTS and VMRS Centers, Call Signs/MMSI, Designated Frequencies, and Monitoring Areas). In addition, the VTS User must respond promptly when hailed and communicated in the English language.

(1459) **Note to §161.12(c):** As stated in 47 CFR 80.148(b), a very high frequency watch on Channel 16 (156.800 MHz) is not required on vessels subject to the Vessel Bridge-to-Bridge Radiotelephone Act and participating in a Vessel Traffic Service (VTS) system when the watch is maintained on both the vessel bridge-to-bridge frequency and a designated VTS frequency.

(1460) (d) As soon is practicable, a VTS User shall notify the VTS of any of the following:

(1461) (1) A marine casualty as defined in 46 CFR 4.05-1;

(1462) (2) Involvement in the ramming of a fixed or floating object;

(1463) (3) A pollution incident as defined in §151.15 of this chapter:

(1464) (4) A defect or discrepancy in an aid to navigation;

(1465) (5) A hazardous condition as defined in §160.202 of this chapter;

(1466) (6) Improper operation of vessel equipment required by Part 164 of this chapter;

(1467) (7) A situation involving hazardous materials for which a report is required by 49 CFR 176.48; and

(1468) (8) A hazardous vessel operating condition as defined in §161.2.

(1469)

§161.13 VTS Special Area Operating Requirements.

(1470) The following operating requirements apply within a VTS Special Area:

(1471) (a) A VTS User shall, if towing astern, do so with as short a hawser as safety and good seamanship permits.

(1472) (b) A VMRS User shall:

(1473) (1) Not enter or get underway in the area without prior approval of the VTS;

(1474) (2) Not enter a VTS Special Area if a hazardous vessel operating condition or circumstance exists;

(1475) (3) Not meet, cross, or overtake any other VMRS User in the area without prior approval of the VTS; and

(1476) (4) Before meeting, crossing, or overtaking any other VMRS User in the area, communicate on the designated vessel bridge-to-bridge radiotelephone frequency, intended navigation movements, and any other information necessary in order to make safe passing arrangements. This requirement does not relieve a vessel of any duty prescribed by the International Regulations for Prevention of Collisions at Sea, 1972 (72 COLREGS) or the Inland Navigation Rules.

(1477)

Subpart B–VesselMovement Reporting System

(1478)

§161.15 Purpose and Intent.

(1479) (a) A Vessel Movement Reporting System (VMRS) is a system used to monitor and track vessel movements within a VTS or VMRS area. This is accomplished by requiring that vessels provide information under established procedures as set forth in this part, or as directed by the Center.

(1480) (b) To avoid imposing an undue reporting burden or unduly congesting radiotelephone frequencies, reports shall be limited to information which is essential to achieve the objectives of the VMRS. These reports are consolidated into three reports (sailing plan, position, and final).

(1481)

§161.16 Applicability.

(1482) Unless otherwise stated, the provisions of this subpart apply to the following vessels and VMRS Users:

(1483) (a) Every power-driven vessel of 40 meters (approximately 131 feet) or more in length, while navigating;

(1484) (b) Every towing vessel of 8 meters (approximately 26 feet) or more in length, while navigating; or

(1485) (c) Every vessel certificated to carry 50 or more passengers for hire, when engaged in trade.

(1486)

§161.17 Definitions.

(1487) As used in the subpart:

(1488) *Center* means a Vessel Traffic Center or Vessel Movement Center.

(1492)

TABLE 161.18(a) – The IMO Standard Ship Reporting System

A	ALPHA	Ship	Name, call sign or ship station identity, and flag.
B	BRAVO	Dates and time of events	A 6 digit group giving day of month (first two digits), hours and minutes (last four digits). If other than UTC state time zone used.
C	CHARLIE	Position	A 4 digit group giving latitude in degrees and minutes suffixed with N (north) or S (south) and a 5 digit group giving longitude in degrees and minutes suffixed with E (east) or W (west); or
D	DELTA	Position	True bearing (first 3 digits) and distance (state distance) in nautical miles from a clearly identified landmark (state landmark).
E	ECHO	True course	A 3 digit group.
F	FOXTROT	Speed in knots and tenths of knots	A 3 digit group.
G	GOLF	Port of Departure	Name of last port of call.
H	HOTEL	Date, time and point of entry system	Entry time expressed as in (B) and into the entry position expressed as in (C) or (D).
I	INDIA	Destination and expected time of arrival	Name of port and date time group expressed as in (B).
J	JULIET	Pilot	State whether a deep sea or local pilot is on board.
K	KILO	Date, time and point of exit from system	Exit time expressed as in (B) and exit position expressed as in (C) or (D).
L	LIMA	Route information	Intended track.
M	MIKE	Radio	State in full names of communications stations/frequencies guarded.
N	NOVEMBER	Time of next report	Date time group expressed as in (B).
O	OSCAR	Maximum present static draught in meters	4 digit group giving meters and centimeters.
P	PAPA	Cargo on board	Cargo and brief details of any dangerous cargoes as well as harmful substances and gases that could endanger persons or the environment.
Q	QUEBEC	Defects, damage, deficiencies or limitations	Brief detail of defects, damage, deficiencies or other limitations.
R	ROMEO	Description of pollution or dangerous goods lost	Brief details of type of pollution (oil, chemicals, etc.) or dangerous goods lost overboard; position expressed as in (C) or (D).
S	SIERRA	Weather conditions	Brief details of weather and sea conditions prevailing.
T	TANGO	Ship's representative and/or owner	Details of name and particulars of ship's representative and/or owner for provision of information.
U	UNIFORM	Ship size and type	Details of length, breadth, tonnage, and type, etc., as required.
V	VICTOR	Medical personnel	Doctor, physician's assistant, nurse, no medic.
W	WHISKEY	Total number of persons on board	State number.
X	XRAY	Miscellaneous	Any other information as appropriate. [i.e., a detailed description of a planned operation, which may include: its duration; effective area; any restrictions to navigation; notification procedures for approaching vessels; in addition, for a towing operation: configuration, length of the tow, available horsepower, etc.; for a dredge or floating plant: configuration of pipeline, mooring configuration, number of assist vessels, etc.].

(1489) *Published* means available in a widely-distributed and publicly available medium (e.g., VTS User's Manual, ferry schedule, Notice to Mariners).

(1490)

§161.18 Reporting requirements.

(1491) (a) A Center may: (1) Direct a vessel to provide any of the information set forth in Table 161.18(a) (IMO Standard Ship Reporting System);

(1493) (2) Establish other means of reporting for those vessels unable to report on the designated frequency; or

(1494) (3) Require reports from a vessel in sufficient time to allow advance vessel traffic planning.

(1495) (b) All reports required by this part shall be made as soon as is practicable on the frequency designated in Table 161.12(c) (VTS and VMRS Centers, Call Signs/ MMSI, Designated Frequencies, and Monitoring Areas).

(1496) (c) When not exchanging communications, a VMRS User must maintain a listening watch as described in §26.04(e) of this chapter on the frequency designated in Table 161.12(c) (VTS and VMRS Centers, Call Signs/ MMSI, Designated Frequencies, and Monitoring Areas). In addition, the VMRS User must respond promptly when hailed and communicate in the English language.

(1497) **Note:** As stated in 47 CFR 80.148(b), a VHF watch on Channel 16 (156.800 MHz) is not required on vessels subject to the Vessel Bridge-to-Bridge Radiotelephone Act and participating in a Vessel Traffic Service (VTS) system when the watch is maintained on both the vessel bridge-to-bridge frequency and a designated VTS frequency.

(1498) (d) A vessel must report:

(1499) (1) Any significant deviation from its Sailing Plan, as defined in §161.19, or from previously reported information; or

(1500) (2) Any intention to deviate from a VTS issued measure or vessel traffic routing system.

(1501) (e) When reports required by this part include time information, such information shall be given using the local time zone in effect and the 24-hour military clock system.

(1538)

Table 1 to §161.45(b) – VTS ST. MARYS RIVER REPORTING POINTS

Designator	Geographic Name	Geographic Description	Latitude/Longitude	Notes
1	Ile Parisienne	Ile Parisienne Light	45°37.3'N., 84°45.9'W.	Downbound Only
2	Gros Cap Reef	Gros Cap Reefs Light	46°30.6'N., 84°37.1'W.	Upbound
3	Round Island	Round Island Light 32	46°26.9'N., 84°31.7'W.	
4	Pointe Louise	Pointe Louise Light	46°27.8'N., 84°28.2'W.	
5	West End of Locks	West Center Pierhead Light	46°30.2'N., 84°22.2'W.	Upbound
6	East End of Locks	East Center Pierhead Light	46°30.1'N., 84°20.3'W.	Downbound Only
7	Mission Point	Light 99	46°29.2'N., 84°18.1'W.	
8	Six Mile Point	Six Mile Point	46°26.1'N., 84°15.4'W.	
9	Ninemile Point	Light 80	46°23.5'N., 84°14.1'W.	
10	West Neebish Channel	Light 29	46°16.9'N., 84°12.5'W.	Downbound Only
11	Munuscong Lake Junction	Lighted Junction Buoy	46°10.8'N., 84°05.6'W.	
12	De Tour Reef	De Tour Reef Light	45°56.9'N., 83°53.7'W.	

(1502)

§161.19 Sailing Plan (SP).

(1503) Unless otherwise stated, at least 15 minutes before navigating a VTS area, a vessel must report the:

(1504) (a) Vessel name and type;

(1505) (b) Position;

(1506) (c) Destination and ETA;

(1507) (d) Intended route;

(1508) (e) Time and point of entry; and

(1509) (f) Certain dangerous cargo on board or in its tow, as defined in §160.204 of this subchapter.

(1510)

§161.20 Position Report (PR).

(1511) A vessel must report its name and position:

(1512) (a) Upon point of entry into a VMRS area;

(1513) (b) At designated reporting points as set forth in subpart C; or

(1514) (c) When directed by the Center.

(1515)

§161.21 Sailing Plan Deviation Report (DR).

(1516) (a) Unless otherwise directed, vessels equipped with an Automatic Identification System (AIS) are required to make continuous, all stations, AIS broadcasts, in lieu of voice Position Reports, to those Centers denoted in Table 161.12(c) of this part.

(1517) (b) Should an AIS become non-operational, while or prior to navigating a VMRS area, it should be restored to operating condition as soon as possible, and, until restored a vessel must:

(1518) (1) Notify the Center;

(1519) (2) Make voice radio Position Reports at designated reporting points as required by §161.20(b) of this part; and

(1520) (3) Make any other reports as directed by the Center.

(1521)

§161.22 Final Report (FR).

(1522) A vessel must report its name and position:

(1523) (a) On arrival at its destination; or

(1524) (b) When leaving a VTS area.

(1525)

§161.23 Reporting exemptions.

(1526) (a) Unless otherwise directed, the following vessels are exempted from providing Position and Final Reports due to the nature of their operation:

(1527) (1) Vessels on a published schedule and route;

(1528) (2) Vessels operating within an area of a radius of three nautical miles or less; or

(1529) (3) Vessels escorting another vessel or assisting another vessel in maneuvering procedures.

(1530) (b) A vessel described in paragraph (a) of this section must:

(1531) (1) Provide a Sailing Plan at least 5 minutes but not more than 15 minutes before navigating within the VMRS area; and

(1532) (2) If it departs from its promulgated schedule by more than 15 minutes or changes its limited operating area, make the established VMRS reports, or report as directed.

(1533)

Subpart C–Vessel Traffic Service and Vessel Movement Reporting System Areas and Reporting Points

(1534) **Note:** All geographic coordinates contained in part 161 (latitude and longitude) are expressed in North American Datum of 1983 (NAD).

(1535)

§161.45 Vessel Traffic Service St. Marys River.

(1536) (a) The VTS area consists of the navigable waters of the St. Marys River and lower Whitefish Bay from 45°57'N. (De Tour Reef Light) to the south, to 46°38.7'N. (Ile Parisienne Light) to the north, except the waters of the St. Marys Falls Canal, and to the east along a line from La Pointe to Sims Point, within Potagannissing Bay and Worsley Bay.

(1537) (b) Reporting Points. (Table 161.45(b))

(1539)

Part 162–Inland Waterways Navigation Regulations

(1540)

§162.1 General.

(1541) Geographic coordinates expressed in terms of latitude or longitude, or both, are not intended for plotting on maps or charts whose referenced horizontal datum is the North American Datum of 1983 (NAD 83), unless such geographic coordinates are expressly labeled NAD 83. Geographic coordinates without the NAD 83 reference may be plotted on maps or charts referenced to NAD 83 only after application of the appropriate corrections that are published on the particular map or chart being used.

(1542)

§162.5 Definitions.

(1543) *Merchant mariner credential or MMC* means the credential issued by the Coast Guard under 46 CFR part 10. It combines the individual merchant mariner's document, license, and certificate of registry enumerated in 46 U.S.C. subtitle II part E as well as the STCW endorsement into a single credential that serves as the mariner's qualification document, certificate of identification, and certificate of service.

(1544)

§162.110 Duluth-Superior Harbor, Minnesota and Wisconsin.

(1545) (a) No vessel greater than 100 feet in length may exceed 8 miles per hour in Duluth-Superior Harbor.

(1546) (b) In the Duluth Ship Canal:

(1547) (1) No vessel may meet or overtake another vessel if each vessel is greater than 150 feet in length (including tug and tow combinations).

(1548) (2) An inbound vessel has the right of way over an outbound vessel.

(1549)

§162.115 Keweenaw Waterway, Michigan.

(1550) No vessel greater than 40 feet in length may exceed 8 miles per hour between Lily Pond and Pilgrim Point.

(1551)

§162.117 St. Marys River, Sault Ste. Marie, Michigan.

(1552) (a) *The area*. The waters of the St. Marys River and lower Whitefish Bay from 45°57'N. (De Tour Reef Light) to the south, to 46°38.7'N. (Ile Parisienne Light) to the north, except the waters of the St. Marys Falls Canal, and to the east along a line from La Pointe to Sims Point, within Potagannissing Bay and Worsley Bay.

(1553) (b) *Definitions*. As used in this section.

(1554) *Two-way route* means a directional route within defined limits inside which two-way traffic is established, and which is intended to improve safety in waters where navigation is difficult.

(1555) *Two-way traffic* means that traffic flow is permitted in opposing directions, but a vessel may not meet, cross, nor overtake any other vessel in such a manner that it would be abreast of more than one other vessel within the defined limits of a waterway.

(1556) (c) Anchoring Rules

(1557) (1) A vessel must not anchor:

(1558) (i) within the waters between Brush Point and the waterworks intake crib off Big Point southward of the Point Aux Pins range; or

(1559) (ii) within 0.2 nautical mile of the intake crib off Big Point.

(1560) (2) In an emergency; vessels may anchor in a dredged channel. Vessels shall anchor as near to the edge of the channel as possible and shall get underway as soon as the emergency ceases, unless otherwise directed. Vessel Traffic Services St. Marys River must be advised of any emergency anchoring as soon as is practicable.

(1561) (3) Vessels collected in any part of the VTS Area by reason of temporary closure of a channel or an impediment to navigation shall get underway and depart in the order in which they arrived, unless otherwise directed by Vessel Traffic Service St. Marys River. Vessel Traffic St. Marys River may advance any vessel in the order of departure to expedite the movement of mails, passengers, cargo of a perishable nature, to facilitate passage of vessels through any channel by reason of special circumstance, or to facilitate passage through the St. Marys Falls Canal.

(1562) (d) *Traffic Rules*. (1) A vessel must proceed only in the established direction of traffic flow in the following waters:

(1563) (i) West Neebish Channel from Buoy "53" to Buoy "1"–downbound traffic only:

(1564) (ii) Pipe Island Course from Sweets Point to Watson Reefs Light-downbound traffic only.

(1565) (iii) Middle Neebish Channel from Buoy "2" to Buoy "76"–upbound traffic only; and

(1566) (iv) Pipe Island Passage to the east of Pipe Island Shoal and north of Pipe Island Twins from Watson Reefs Light to Sweets Point-upbound traffic only.

(1567) (2) A vessel 350 feet or more in length must not overtake or approach within .2 nautical miles of another vessel proceeding in the same direction in the following waterways:

(1568) (i) West Neebish Channel between Nine Mile Point and Munuscong Lake Junction Lighted Bell Buoy;

(1569) (ii) Middle Neebish Channel between Munuscong Lake Junction Lighted Bell Buoy and Nine Mile Point; and

(1570) (iii) Little Rapids Cut from Six Mile Point to Buoy "102".

(1571) (3) When two-way traffic is authorized in Middle Neebish Channel, a vessel 350 feet or more in length must not meet, cross, or overtake another vessel at:

(1572) (i) Johnson Point from Buoy "18" to Buoy "22";

(1573) (ii) Mirre Point from Buoy "26" to Buoy "28"; or

(1574) (iii) Stribling Point from Buoy "39" to Buoy "43".

(1575) (4) Paragraph (d)(2) of this section does not apply to a vessel navigating through an ice field.

(1576) (e) *Winter Navigation*. During the winter navigation season, the following waterways are normally closed:

(1577) (1) West Neebish Channel, from Buoy "53" to Buoy "1";

(1578) (2) Pipe Island Passage to the east of Pipe Island Shoal; and

(1579) (3) North of Pipe Island Twins, from Watson Reef Light to Sweets Point.

(1580) (f) *Alternate Winter Navigation Routes*. (1) When West Neebish Channel is closed, Middle Neebish Channel (from Buoy "2" to Buoy "76") will be open either as a two-way route or an alternating one way traffic lane.

(1581) (i) When Middle Neebish Channel is a two-way route;

(1582) (A) An upbound vessel must use the easterly 197 feet of the channel. However, a vessel of draft 20 feet or more must not proceed prior to Vessel Traffic Center approval; and

(1583) (B) A downbound vessel must use the westerly 295 feet of the channel.

(1584) (ii) When Middle Neebish Channel is an alternating one-way traffic lane. A vessel must use the westerly 295 feet of the channel in the established direction of traffic flow.

(1585) (2) When Pipe Island Passage is closed, Pipe Island Course is a two-way route.

(1586) **Note:** The Vessel Traffic Service closes or opens these channels as ice conditions require after giving due considerations to the protection of the marine environment, waterway improvements, aids to navigation, the need for cross channel traffic (e.g., ferries), the availability of icebreakers, and the safety of the island residents who, in the course of their daily business, must use naturally formed ice bridges for transportation to and from the mainland. Under normal seasonal conditions, only one closing each winter and one opening each spring are anticipated. Prior to closing or opening these channels, interested parties including both shipping entities and island residents, will be given at least 72 hours notice by the Coast Guard.

(1587) (g) *Speed Rules*. (1) The following speed limits indicate speed over the ground. Vessels must adhere to the following speed limits:

(1588)

TABLE 162.117(g)–St. Marys River Speed Rules

Maximum Speed Limit Between	Mph	Knots
De Tour Reef Light and Sweets Point Light	14	12.2
Round Island Light and Point Aux Frenes Light "21"	14	12.2
Munuscong Lake Lighted Buoy "8" and Everens Point	12	10.4
Everens Point and Reed Point	9	7.8
Reed Point and Lake Nicolet Lighted Buoy "62"	10	8.7
Lake Nicolet Lighted Buoy "62" and Lake Nicolet Light "80"	12	10.4
Lake Nicolet Light "80" and Winter Point (West Neebish Channel)	10	8.7
Lake Nicolet Light "80" and Six Mile Point Range Rear Light	10	8.7
Six Mile Point Range Rear Light and lower limit of the St. Marys Falls Canal		
upbound	8	7
downbound	10	8.7
Upper limit of the St. Marys Falls Canal and Point Aux Pins Main Light	12	10.4

Note: A vessel must not navigate any dredged channel at a speed of less than 5 statue miles per hour (4.3 knots)

(1589) (2) Temporary speed limit regulations may be established by Commanding Officer Vessel Traffic Service St. Marys River. Notice of the temporary speed limits and their effective dates and terminations are published in the **Federal Register** and Local Notice to Mariners. These Temporary speed limits, if imposed, will normally be placed in effect and terminated during the winter navigation season.

(1590) (h) *Towing Requirement*. A Towing vessel must: (1) Maintain positive control of its tow south of Gros Cap Reef Light;

(1591) (2) Not impede the passage of any other vessel;

(1592) (3) Not tow a vessel of 200 feet or less in length with a tow line longer than 250 feet; and

(1593) (4) Not tow a vessel of 200 feet or more in length with a tow line longer than the length of the towed vessel plus 50 feet.

(1594)

§162.120 Harbors on Lake Michigan.

(1595) (a) No vessel greater than 40 feet in length may exceed 8 miles per hour in the harbors of Michigan City, Indiana; St. Joseph, South Haven, Saugatuck, Holland (Lake Macatawa), Grand Haven, Muskegon, White Lake, Pentwater, Ludington, Manistee, Portage Lake (Manistee County), Frankfort, Charlevoix, and Petoskey, Michigan.

(1596) (b) No vessel greater than 40 feet in length may exceed 4 miles per hour in the harbors of Menominee, Michigan and Wisconsin; Algoma, Kewaunee, Two Rivers, Manitowoc, Sheboygan, Port Washington, Milwaukee, Racine, Kenosha and Green Bay, Wisconsin; and Waukegan, Illinois.

(1597)

§162.125 Sturgeon Bay and the Sturgeon Bay Ship Canal, Wisconsin.

(1598) (a) In the Sturgeon Bay Ship Canal:

(1599) (1) No vessel may exceed 5 miles per hour.

(1600) (2) No vessel greater than 150 feet in length (including tug and tow combinations) may come about.

(1601) (3) No vessel 65 feet or greater in length (including tug and tow combinations) may either:

(1602) (i) Enter or pass through the canal two or more abreast; or

(1603) (ii) Overtake another vessel.

(1604) (4) No vessel may anchor or moor unless given permission to do so by the Captain of the Port.

(1605) (5) Each vessel must keep to the center, except when meeting or overtaking another vessel.

(1606) (b) In Sturgeon Bay and the Sturgeon Bay Ship Canal:

(1607) (1) Each laden vessel under tow must be towed with at least two towlines. Each towline must be shortened to the extent necessary to provide maximum control of the tow.

(1608) (2) Each unladen vessel may be towed with one towline.

(1609) (3) No towline may exceed 100 feet in length.

(1610) (4) No vessel may tow another vessel alongside.

(1611) (5) No vessel may tow a raft greater than 50 feet in width.

(1612) **Note:** The Corps of Engineers also has regulations dealing with these areas in 33 CFR 207.

(1613)

§162.130 Connecting waters from Lake Huron to Lake Erie; general rules.

(1614) (a) *Purpose*. The regulations in §§ 162.130 through 162.140 prescribe rules for vessel operation in U.S. waters connecting Lake Huron to Lake Erie (including the River Rouge) to prevent collisions and groundings, to protect waterway improvements, and to protect these waters from environmental harm resulting from collisions and groundings.

(1615) **Note:** The Canadian Government has issued similar regulations which apply in the Canadian portion of the waterway. Provisions which apply only in Canadian waters are noted throughout the text.

(1616) (b) *Applicability*. (1) Unless otherwise specified, the rules in §§ 162.130 through 162.140 apply to all U.S. vessels and all other vessels in U.S. waters.

(1617) (2) The speed rules in §162.138 apply to vessels 20 meters or more in length.

(1618) (3) The communications rules in §162.132, the traffic rules in §162.134, except for §162.134(c)(2), and the anchorage rules in §162.136 apply to the following vessels:

(1619) (i) Vessels of 20 meters or more in length;

(1620) (ii) Commercial vessels more than 8 meters in length engaged in towing another vessel astern, alongside, or by pushing ahead; and

(1621) (iii) Each dredge and floating plant.

(1622) (4) The traffic rules contained in §162.134(c)(2) apply to the following vessels:

(1623) (i) Sailing vessels of 20 meters or more in length;

(1624) (ii) Power driven vessels of 55 meters or more in length;

(1625) (iii) Vessels engaged in towing another vessel astern, alongside or by pushing ahead; and

(1626) (iv) Each dredge and floating plant.

(1627) (c) *Definitions*. As used in §§162.130 through 162.140:

(1628) *Captain of the Port* means the United States Coast Guard Captain of the Port of Detroit, Michigan.

(1629) *Detroit River* means the connecting waters from Windmill Point Light to the lakeward limits of the improved navigation channels at the head of Lake Erie.

(1630) *District Commander* means, Commander, Ninth Coast Guard District, Cleveland, Ohio.

(1631) *Master* means the master or operator, the person designated by the master or operator to navigate the vessel, or, on a vessel not requiring persons holding licenses or merchant mariner credential officer endorsements, the person in command of the vessel.

(1632) *River Rouge* means the waters of the Short Cut Canal and the River Rouge from Detroit Edison Cell Light 1 to the head of navigation.

(1633) *St. Clair River* means the connecting waters from the lakeward limit of the improved navigation channel at the lower end of Lake Huron to St. Clair Flats Canal Light 2.

(1634) *SARNIA TRAFFIC* means the Canadian Coast Guard Traffic center at Sarnia, ON.

(1635) (d) *Laws and regulations not affected*. The regulations in §§162.130 through 162.140 do not relieve the owners or operators of vessels from complying with any other laws or regulations relating to navigation on the Great Lakes and their connecting or tributary waters.

(1636) (e) *Delegations*. The District Commander, in coordination with appropriate Canadian officials, may make local arrangements that do not conflict with these regulations in the interest of safety of operations, to facilitate traffic movement and anchorage, to avoid disputes as to jurisdiction and to take necessary action to render assistance in emergencies. This authority may be redelegated.

(1637)

§162.132 Connecting waters from Lake Huron to Lake Erie; communications rules.

(1638) (a) *Radio Listening watch*. The master of each vessel required to comply with this section shall continuously monitor:

(1639) (1) Channel 11 (156.55 MHz) between Lake Huron Cut Lighted Buoy 11 and Lake St. Clair Light; and

(1640) (2) Channel 12 (156.60 MHz) between Lake St. Clair Light and Detroit River Light.

(1641) (b) *Radiotelephone equipment*. Reports required by this section shall be made by the master using a radiotelephone capable of operation on a vessel's navigation bridge, or in the case of a dredge, from its main control station.

(1642) (c) *English language*. Reports required by this section shall be made in the English language.

(1643) (d) *Traffic reports*. (1) Reports required by this section shall be made to SARNIA TRAFFIC on the frequency designated for the radio listening watch in paragraph (a) of this section.

(1644) (2) Reports shall include the name of the vessel, location, intended course of action, and ETA at next reporting point.

(1645) (e) *Permanent Reporting Points*. The master of each vessel to which this section applies shall report as required by paragraph (d) of this section at the locations indicated in Table I.

(1646)

TABLE 1

Downbound vessels	Reporting points	Upbound vessels
Report	30 Minutes North of Lake Huron Cut	
	Lighted Horn Bouy "11"	
Report	Lake Huron Cut Light "7"	
	Lake Huron Cut Lighted Buoy "1"	Report
Report	St. Clair/Black River Junction Light	Report
	Stag Island Upper Light	Report
Report	Marine City Salt Dock Light	Report
Report	Grande Pointe Light "23"	
	St. Clair Flats Canal Light "2"	Report
Report	Lake St. Clair Light	Report
Report	Belle Isle Light	
Report	Grassy Island Light	Report
Report	Detroit River Light	Report

(1647) (f) *Additional Traffic Reports*.

(1648) (1) A report shall be made upon leaving any dock, mooring, or anchorage, in the Detroit River, Lake St. Clair, and the St. Clair River except for—

(1649) (i) Ferries on regular runs; and

(1650) (ii) Vessels in the River Rouge.

(1651) (2) A report shall be made before maneuvering to come about.

(1652) (3) A report shall be made—

(1653) (i) 20 minutes before entering or departing the River Rouge; and

(1654) (ii) Immediately before entering or departing the River Rouge.

(1655) (g) *Report of impairment or other hazard*. The master of a vessel shall report to SARNIA TRAFFIC as soon as possible:

(1656) (1) Any condition on the vessel that may impair its navigation, including but not limited to: fire, defective steering equipment, or defective propulsion machinery.

(1657) (2) Any tow that the towing vessel is unable to control, or can control only with difficulty.

(1658) (h) *Exemptions*. Compliance with this section is not required when a vessel's radiotelephone equipment has failed.

(1659)

§162.134 Connecting waters from Lake Huron to Lake Erie, traffic rules.

(1660) (a) *Detroit River*. The following traffic rules apply in the Detroit River:

(1661) (1) The West Outer Channel is restricted to downbound vessels.

(1662) (2) The Livingstone Channel, west of Bois Blanc Island, is restricted to downbound vessels.

(1663) **Note:** The Amherstburg Channel, in Canadian waters east of Bois Blanc Island, is normally restricted to upbound vessels. No vessel may proceed downbound in the Amherstburg Channel without authorization from the Regional Director General.

(1664) (3) Between Fighting Island Channel South Light and Bar Point Pier Light 29D, no vessels shall meet or overtake in such a manner that more than two vessels would be abreast at any time.

(1665) (4) Between the west end of Belle Isle and Peche Island Light, vessels may overtake vessels engaged in towing.

(1666) (b) *River Rouge*. In the River Rouge, no vessel shall overtake another vessel.

(1667) (c) *St. Clair River*. The following traffic rules apply in the St. Clair River:

(1668) (1) Between St. Clair Flats Canal Light 2 and Russell Island Light 33, vessels may only overtake vessels engaged in towing.

(1669) (2) Between Lake Huron Cut Lighted Buoy 1 and Port Huron Traffic Lighted Buoy there is a zone of alternating one way traffic. Masters shall coordinate their movements in accordance with the following rules;

(1670) (i) Vessels shall not overtake.

(1671) (ii) Vessels shall not come about.

(1672) (iii) Vessels shall not meet.

(1673) (iv) Downbound vessels which have passed Lake Huron Cut Lighted Buoy 7 have the right of way over upbound vessels which have not reached the Port Huron Traffic Lighted Buoy. Upbound vessels awaiting transit of downbound vessels will maintain position south of the Port Huron Traffic Lighted Buoy.

(1674) (v) Vessels transiting the zone shall coordinate passage by using communication procedures in §162.132.

(1675) (vi) Transiting vessels shall have the right of way over moored vessels getting underway within the zone.

(1676) (d) In the waters described in §162.130(a), the District Commander or Captain of the Port may establish temporary traffic rules for reasons which include but are not limited to: channel obstructions, winter navigation, unusual weather conditions, or unusual water levels.

(1677) (e) The requirements of this section do not apply to public vessels of the U.S. or Canada engaged in icebreaking or servicing aids to navigation or to vessels engaged in river and harbor improvement work.

(1678) (f) The prohibitions in this section on overtaking in certain areas do not apply to vessels operating in the nondisplacement mode. In this section, "nondisplacement mode" means a mode of operation in which the vessel is supported by hydrodynamic forces, rather than displacement of its weight in the water, to an extent such that the wake which would otherwise be generated by the vessel is significantly reduced.

(1679)

§162.136 Connecting waters from Lake Huron to Lake Erie; anchorage grounds.

(1680) (a) In the Detroit River, vessels shall be anchored so as not to swing into the channel or across steering courses.

(1681) **Note:** There is an authorized anchorage in Canadian waters just above Fighting Island and an authorized anchorage in U.S. waters south of Belle Isle (33 CFR 110.206).

(1682) (b) In the St. Clair River, vessels shall be anchored so as not to swing into the channel or across steering courses.

(1683)

§162.138 Connecting waters from Lake Huron to Lake Erie; speed rules.

(1684) (a) *Maximum speed limit for vessels in normal displacement mode*. (1) Except when required for the safety of the vessel or any other vessel, vessels of 20 meters or more in length operating in normal displacement mode shall proceed at a speed not greater than—

(1685) (i) 12 statute miles per hour (10.4 knots) between Fort Gratiot Light and St. Clair Flats Canal Light 2;

(1686) (ii) 12 statute miles per hour (10.4 knots) between Peche Island Light and D33 stationary light in the Detroit River entrance; and

(1687) (iii) 4 statute miles per hour (3.5 knots) in the River Rouge.

(1688) (2) The maximum speed limit is 5.8 statute miles per hour (5 knots) in the navigable channel south of Peche Island (under Canadian jurisdiction).

(1689) (b) *Maximum speed limit for vessels operating in nondisplacement mode*. (1) Except when required for the safety of the vessel or any other vessel, vessels 20 meters or more in length but under 100 gross tons operating in the nondisplacement mode and meeting the requirements set out in paragraph (c) of this section, may operate at a speed not exceeding 40 miles per hour (34.8 knots)—

(1690) (i) During daylight hours (sunrise to sunset);

(1691) (ii) When conditions otherwise safely allow; and

(1692) (iii) When approval has been granted by the Coast Guard Captain of the Port, Detroit or Commander of the Ninth Coast Guard District prior to each transit of the area.

(1693) (2) In this section, "nondisplacement mode" means a mode of operation in which the vessel is supported by hydrodynamic forces, rather than displacement of its weight in the water; to an extent such that the wake which would otherwise be generated by the vessel is significantly reduced.

(1694) (c) *Unsafe vessels*. The Captain of the Port or the District Commander may deny approval for operations under paragraph (b) of this section if it appears that the design and operating characteristics of the vessels in question are not safe for the designated waterways, or if it appears that operations under this section have become unsafe for any reason.

(1695) (d) *Temporary speed limits*. The District Commander may temporarily establish speed limits or temporarily amend existing speed limit regulations on the waters described in §162.130(a).

(1696)

§162.140 Connecting waters from Lake Huron to Lake Erie; miscellaneous rules.

(1697) (a) *Rules for towing vessels*. (1) A towing vessel may drop or anchor its tows only in accordance with the provisions of 162.136.

(1698) (2) A towing vessel engaged in arranging its tow shall not obstruct the navigation of other vessels.

(1699) (b) *Pilots*. In the St. Clair River between Lake Huron Cut Lighted Buoy 1 and Port Huron Traffic Lighted Buoy, vessels shall not take on, discharge, or exchange pilots unless weather conditions would make the maneuver unsafe in the customary pilot area.

(1700)

§162.145 Monroe Harbor, Michigan.

(1701) (a) In the lake channel, no vessel greater than 40 feet in length may exceed 10 miles per hour.

(1702) (b) In the river channel:

(1703) (1) No vessel greater than 40 feet in length may exceed 6 miles per hour.

(1704) (2) No vessel may use a towline exceeding 200 feet in length.

(1705)

§162.150 Maumee Bay and River, OH.

(1706) (a) In Maumee Bay (lakeward of Maumee River Lighted Buoy 49), no vessel greater than 100 feet in length may exceed 12 miles per hour.

(1707) (b) In Maumee River (inward of Maumee River Lighted Buoy 49):

(1708) (1) No vessel greater than 40 feet in length may exceed 6 miles per hour.

(1709) (2) No vessel greater than 100 feet in length (including tug and tow combinations) may overtake another vessel.

(1710)

§162.155 Sandusky and Huron Harbors, OH.

(1711) (a) In Sandusky Harbor, no vessel greater than 40 feet in length may exceed 10 miles per hour.

(1712) (b) In Huron Harbor, no vessel greater than 40 feet in length may exceed 6 miles per hour, except in the outer harbor where no vessel greater than 40 feet in length may exceed 10 miles per hour.

(1713) **Note:** The Corps of Engineers also has regulations dealing with these areas in 33 CFR 207.

(1714)

§162.160 Vermilion, Lorain, Cleveland, Fairport, Ashtabula, and Conneaut Harbors, OH.

(1715) (a) In Vermilion Harbor, no vessel may exceed 6 miles per hour.

(1716) (b) In Lorain, Cleveland, Fairport, Ashtabula, and Conneaut Harbors, no vessel may exceed 6 miles per hour, except in the outer harbors, where no vessel may exceed 10 miles per hour.

(1717) **Note:** The Corps of Engineers also has regulations dealing with these areas in 33 CFR 207.

(1718)

§162.165 Buffalo and Rochester Harbors, New York.

(1719) In Buffalo and Rochester Harbors, no vessel may exceed 6 miles per hour, except in the outer harbors where no vessel may exceed 10 miles per hour.

(1720) **Note:** The Corps of Engineers also has regulations dealing with these areas in 33 CFR 207.

(1721)

§162.175 Black Rock Canal and Lock at Buffalo, New York.

(1722) In the Black Rock Canal and Lock, no vessel may exceed 6 miles per hour.

(1723) **Note:** The Corps of Engineers also has regulations dealing with these areas in 33 CFR 207.

(1724)

Part 164–NavigationSafety Regulations (in part)

(1725)

§164.01 Applicability.

(1726) (a) This part (except as specifically limited by this section) applies to each self-propelled vessel of 1600 or more gross tons (except as provided in paragraphs (c) and (d) of this section, or for foreign vessels described in §164.02) when it is operating in the navigable waters of the United States except the St. Lawrence Seaway.

(1727) (b) Sections 164.70 through 164.82 of this part apply to each towing vessel of 12 meters (39.4 feet) or more in length operating in the navigable waters of the United States other than the St. Lawrence Seaway; except that a towing vessel is exempt from the requirements of §164.72 if it is—

(1728) (1) Used solely within a limited geographic area, such as a fleeting-area for barges or a commercial facility, and used solely for restricted service, such as making up or breaking up larger tows;

(1729) (2) Used solely for assistance towing as defined by 46 CFR 10.103;

(1730) (3) Used solely for pollution response; or

(1731) (4) Any other vessel exempted by the Captain of the Port (COTP). The COTP, upon written request, may, in writing, exempt a vessel from §164.72 for a specified route if he or she decides that exempting it would not allow its unsafe navigation under anticipated conditions.

(1732) (c) Provisions of §§164.11(a)(2) and (c), 164.30, and 164.33, and 164.46 do not apply to warships or other vessels owned, leased, or operated by the United States Government and used only in government noncommercial service when these vessels are equipped with electronic navigation systems that have met the applicable agency safety.

(1733) (d) Provisions of §164.46 apply to some self-propelled vessels of less 1600 gross tonnage.

(1734)

§164.02 Applicability exception for foreign vessels.

(1735) (a) Except for §164.46(c), none of the requirements of this part apply to foreign vessels that:

(1736) (1) Are not destined for, or departing from, a port or place subject to the jurisdiction of the United States; and

(1737) (2) Are in:

(1738) (i) Innocent passage through the territorial sea of the United States; or

(1739) (ii) Transit through navigable waters of the United States which form a part of an international strait.

(1740)

§164.03 Incorporation by reference.

(1741) (a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the Coast Guard must publish notice of the change in the Federal Register and the material must be available to the public. All approved material is available for inspection at the National Archives and Records Administration (NARA). For more information on the availability of this material at NARA, call 202–741–6030, or go to: www.archives.gov/federal-register/cfr/ ibr-locations.html. Also, it is available for inspection at the Commandant (CG–NAV), U.S. Coast Guard Stop 7418, Attn: Office of Navigation Systems, 2703 Martin Luther King Jr. Ave. SE., Washington, DC 20593-7418, telephone 202–372–1565, and is available from the sources listed below.

(1742) (b) American Petroleum Institute (API), 1220 L Street NW., Washington, DC 20005-4070, 202–682–8000, www.api.org:

(1743) (1) API Specification 9A, Specification for Wire Rope, Section 3, Properties and Tests for Wire and Wire Rope, May 28, 1984, IBR approved for §164.74.

(1744) (2) [Reserved]

(1745) (c) ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, 610–832–9585, www.astm.org:

(1746) (1) ASTM D4268–93, Standard Test Method for Testing Fiber Rope, IBR approved for §164.74.

(1747) (2) [Reserved]

(1748) (d) Cordage Institute, 350 Lincoln Street, Hingham, MA 02043.

(1749) (1) CIA–3, Standard Test Methods for Fiber Rope Including Standard Terminations, Revised, June 1980, IBR approved for §164.74.

(1750) (2) [Reserved]

(1751) (e) International Maritime Organization (IMO), 4 Albert Embankment, London SE1 7SR, United Kingdom, www.imo.org:

(1752) (1) IMO Resolution A342(IX), Recommendation on Performance Standards for Automatic Pilots, November 12, 1975, IBR approved for §164.13.

(1753) (2) IMO Resolution A.917(22), Guidelines for the Onboard Operational Use of Shipborne Automatic

Identification System (AIS), January 25, 2002, IBR approved for §164.46.

(1754) (3) SN/Circ.227, Guidelines for the Installation of a Shipborne Automatic Identification System (AIS), January 6, 2003, IBR approved for §164.46.

(1755) (4) SN/Circ.244, Guidance on the Use of the UN/LOCODE in the Destination Field in AIS Messages, December 15, 2004, IBR approved for §164.46.

(1756) (5) SN/Circ.245, Amendments to the Guidelines for the Installation of a Shipborne Automatic Identification System (AIS)(SN/Circ.227), December 15, 2004, IBR approved for §164.46.

(1757) (6) SOLAS, International Convention for the Safety of Life at Sea, 1974, and 1988 Protocol relating thereto, 2000 Amendments, effective January and July 2002, (SOLAS 2000 Amendments), IBR approved for §164.46

(1758) (7)Conference resolution 1,Adoption of amendments to the Annex to the International Convention for the Safety of Life at Sea, 1974, and amendments to Chapter V of SOLAS 1974, adopted on December 12, 2002, IBR approved for §164.46.

(1759) (8) SN.1/Circ.289, Guidance on the Use of AIS Application-Specific Messages, June 2, 2010, IBR approved for §164.46.

(1760) (f) National Marine Electronics Association (NMEA), 7 Riggs Avenue, Severna Park, MD 21146, 800–808–6632, *www.nmea.org*:

(1761) (1) NMEA 0400, Installation Standard for Marine Electronic Equipment used on Moderate-Sized Vessels, Version 3.10, February 2012, IBR approved for §164.46.

(1762) (2) [Reserved]

(1763) (g) Radio Technical Commission for Maritime Services (RTCM), 1611 N. Kent St., Suite 605, Arlington, VA 22209, 703–527–2000, *www.rtcm.org*:

(1764) (1) RTCM Paper 12–78/DO–100, Minimum Performance Standards, Loran C Receiving Equipment, 1977, IBR approved for §164.41

(1765) (2) RTCM Paper 71–95/SC112–STD, RTCM Recommended Standards for Marine Radar Equipment Installed on Ships of Less Than 300 Tons Gross Tonnage, Version 1.1, October 10, 1995, IBR approved for §164.72.

(1766) (3) RTCM Paper 191–93/SC112–X, RTCM Recommended Standards for Maritime Radar Equipment Installed on Ships of 300 Tons Gross Tonnage and Upwards, Version 1.2, December 20, 1993, IBR approved for §164.72.

(1766.001) (h) International Electrotechnical Commission (IEC), 3, rue de Varembe, Geneva, Switzerland, +41 22 919 02 11, *http://www.iec.ch/*. Email: info@iec.ch.

(1766.002) (1) IEC 62065 (IEC 62065 2002–03), Maritime navigation and radiocommunication equipment and systems—Track control systems— Operational and performance requirements, methods of testing and required test results, First Edition, dated 2002, IBR approved for **§ 164.13(d)**.

(1766.003) (2) IEC 62065 (IEC 62065 2014–02), Maritime navigation and radiocommunication equipment and systems—Track control systems— Operational and performance requirements, methods of testing and required test results, Edition 2.0, dated 2014, IBR approved for **§ 164.13(d)**.

(1767)

§164.11 Navigation under way: General.

(1768) The owner, master, or person in charge of each vessel underway shall ensure that:

(1769) (a) The wheelhouse is constantly manned by persons who:

(1770) (1) Direct and control the movement of the vessel; and

(1771) (2) Fix the vessel's position;

(1772) (b) Each person performing a duty described in paragraph (a) of this section is competent to perform that duty;

(1773) (c) The position of the vessel at each fix is plotted on a chart of the area and the person directing the movement of the vessel is informed of the vessel's position;

(1774) (d) Electronic and other navigational equipment, external fixed aids to navigation, geographic reference points, and hydrographic contours are used when fixing the vessel's position;

(1775) (e) Buoys alone are not used to fix the vessel's position;

(1776) **Note:** Buoys are aids to navigation placed in approximate positions to alert the mariner to hazards to navigation or to indicate the orientation of a channel. Buoys may not maintain an exact position because strong or varying currents, heavy seas, ice, and collisions with vessels can move or sink them or set them adrift. Although buoys may corroborate a position fixed by other means, buoys cannot be used to fix a position: however, if no other aids are available, buoys alone may be used to establish an estimated position.

(1777) (f) The danger of each closing visual or each closing radar contact is evaluated and the person directing the movement of the vessel knows the evaluation;

(1778) (g) Rudder orders are executed as given;

(1779) (h) Engine speed and direction orders are executed as given;

(1780) (i)Magnetic variation and deviation and gyrocompass errors are known and correctly applied by the person directing the movement of the vessel;

(1781) (j) A person whom he has determined is competent to steer the vessel is in the wheelhouse at all times (See also 46 U.S.C. 8702(d), which requires an able seaman at the wheel on U.S. vessels of 100 gross tons or more in narrow or crowded waters during low visibility.);

(1782) (k) If a pilot other than a member of the vessel's crew is employed, the pilot is informed of the draft, maneuvering characteristics, and peculiarities of the vessel and of any abnormal circumstances on the vessel that may affect its safe navigation.

(1783) (l) Current velocity and direction for the area to be transited are known by the person directing the movement of the vessel;

(1784) (m) Predicted set and drift are known by the person directing movement of the vessel;

(1785) (n) Tidal state for the area to be transited is known by the person directing movement of the vessel;

(1786) (o) The vessel's anchors are ready for letting go;

(1787) (p) The person directing the movement of the vessel sets the vessel's speed with consideration for:

(1788) (1) The prevailing visibility and weather conditions;

(1789) (2) The proximity of the vessel to fixed shore and marine structures;

(1790) (3) The tendency of the vessel underway to squat and suffer impairment of maneuverability when there is small underkeel clearance;

(1791) (4) The comparative proportions of the vessel and the channel;

(1792) (5) The density of marine traffic;

(1793) (6) The damage that might be caused by the vessel's wake;

(1794) (7) The strength and direction of the current; and

(1795) (8) Any local vessel speed limit;

(1796) (q) The tests required by §164.25 are made and recorded in the vessel's log; and

(1797) (r) The equipment required by this part is maintained in operable condition.

(1798) (s) Upon entering U.S. waters, the steering wheel or lever on the navigating bridge is operated to determine if the steering equipment is operating properly under manual control, unless the vessel has been steered under manual control from the navigating bridge within the preceding 2 hours, except when operating on the Great Lakes and their connecting and tributary waters.

(1799) (t) At least two of the steering-gear power units on the vessel are in operation when such units are capable of simultaneous operation, except when the vessel is sailing on the Great Lakes and their connecting and tributary waters, and except as required by paragraph (u) of this section.

(1800) (u) On each passenger vessel meeting the requirements of the International Convention for the Safety of Life at Sea, 1960 (SOLAS 60) and on each cargo vessel meeting the requirements of SOLAS 74 as amended in 1981, the number of steering-gear power units necessary to move the rudder from 35° on either side to 30° on the other in not more than 28 seconds must be in simultaneous operation.

(1801)

§164.13 Navigation underway: tankers.

(1802) (a) As used in this section, "tanker" means a self-propelled tank vessel, including integrated tug barge combinations, constructed or adapted primarily to carry oil or hazardous material in bulk in the cargo spaces and inspected and certificated as a tanker.

(1803) (b) Each tanker must have an engineering watch capable of monitoring the propulsion system, communicating with the bridge, and implementing manual control measures immediately when necessary. The watch must be physically present in the machinery spaces or in the main control space and must consist of at least an engineer with an appropriately endorsed license or merchant mariner credential.

(1804) (c) Each tanker must navigate with at least two deck officers with an appropriately endorsed license or merchant mariner credential on watch on the bridge, one of whom may be a pilot. In waters where a pilot is required, the second officer, must be an individual holding an appropriately endorsed license or merchant mariner credential and assigned to the vessel as master, mate, or officer in charge of a navigational watch, who is separate and distinct from the pilot.

(1805) (d) This paragraph (d) has preemptive effect over State or local regulation within the same field. A tanker may navigate using a heading or track control system only if:

(1805.001) (1) The tanker is at least one-half nautical mile (1,012 yards) beyond the territorial sea baseline, as defined in **33 CFR 2.20**;

(1805.002) (i) Not within waters specified in **33 CFR part 110** (anchorages), or; (ii) Not within waters specified as precautionary areas in **33 CFR part 167**, and;

(1805.003) (2) There is a person, competent to steer the vessel, present to assume manual control of the steering station at all times including, but not limited to, the conditions listed in **46 CFR 35.20–45(a)** through **(c)**; and

(1805.004) (3) The system meets the heading or track control specifications of either IEC 62065 (2002–03) or IEC 62065 (2014–02) (incorporated by reference, see **§ 164.03**).

(1806) <1806-1816 Deleted>

(1817)

§164.15 Navigation bridge visibility.

(1818) (a) The arrangement of cargo, cargo gear, and trim of all vessels entering or departing from U.S. ports must be such that the field of vision from the navigation bridge conforms as closely as possible to the following requirements:

(1819) (1) From the conning position, the view of the sea surface must not be obscured by more than the lesser of two ship lengths or 500 meters (1,640 feet) from dead ahead to 10 degrees on either side of the vessel. Within this arc of visibility any blind sector caused by cargo, cargo gear, or other permanent obstruction must not exceed 5 degrees.

(1820) (2) From the conning position, the horizontal field of vision must extend over an arc from at least 22.5 degrees abaft the beam on one side of the vessel, through dead ahead, to at least 22.5 degrees abaft the beam on the other side of the vessel. Blind sectors forward of the beam caused by cargo, cargo gear, or other permanent obstruction must not exceed 10 degrees each, nor total more than 20 degrees, including any blind sector within the arc of visibility described in paragraph (a)(1) of this section.

(1821) (3) From each bridge wing, the field of vision must extend over an arc from at least 45 degrees on the opposite bow, through dead ahead, to at least dead astern.

(1822) (4) From the main steering position, the field of vision must extend over an arc from dead ahead to at least 60 degrees on either side of the vessel.

(1823) (b) A clear view must be provided through at least two front windows at all times regardless of weather conditions.

(1824)

§164.19 Requirements for vessels at anchor.

(1825) The master or person in charge of each vessel that is anchored shall ensure that:

(1826) (a) A proper anchor watch is maintained;

(1827) (b) Procedures are followed to detect a dragging anchor; and

(1828) (c) Whenever weather, tide, or current conditions are likely to cause the vessel's anchor to drag, action is taken to ensure the safety of the vessel, structures, and other vessels, such as being ready to veer chain, let go a second anchor, or get underway using the vessel's own propulsion or tug assistance.

(1829)

§164.25 Tests before entering or getting underway.

(1830) (a) Except as provided in paragraphs (b) and (c) of this section no person may cause a vessel to enter into or get underway on the navigable waters of the United States unless no more than 12 hours before entering or getting underway, the following equipment has been tested:

(1831) (1) Primary and secondary steering gear. The test procedure includes a visual inspection of the steering gear and its connecting linkage, and, where applicable, the operation of the following:

(1832) (i) Each remote steering gear control system.

(1833) (ii) Each steering position located on the navigating bridge.

(1834) (iii) The main steering gear from the alternative power supply, if installed.

(1835) (iv) Each rudder angle indicator in relation to the actual position of the rudder.

(1836) (v) Each remote steering gear control system power failure alarm.

(1837) (vi) Each remote steering gear power unit failure alarm.

(1838) (vii) The full movement of the rudder to the required capabilities of the steering gear.

(1839) (2) All internal vessel control communications and vessel control alarms.

(1840) (3) Standby or emergency generator, for as long as necessary to show proper functioning, including steady state temperature and pressure readings.

(1841) (4) Storage batteries for emergency lighting and power systems in vessel control and propulsion machinery spaces.

(1842) (5) Main propulsion machinery, ahead and astern.

(1843) (b) Vessels navigating on the Great Lakes and their connecting and tributary waters, having once completed the test requirements of this sub-part, are considered to remain in compliance until arriving at the next port of call on the Great Lakes.

(1844) (c) Vessels entering the Great Lakes from the St. Lawrence Seaway are considered to be in compliance with this sub-part if the required tests are conducted preparatory to or during the passage of the St. Lawrence Seaway or within one hour of passing Wolfe Island.

(1845) (d) No vessel may enter, or be operated on the navigable waters of the United States unless the emergency steering drill described below has been conducted within 48 hours prior to entry and logged in the vessel logbook, unless the drill is conducted and logged on a regular basis at least once every three months. This drill must include at a minimum the following:

(1846) (1) Operation of the main steering gear from within the steering gear compartment.

(1847) (2) Operation of the means of communications between the navigating bridge and the steering compartment.

(1848) (3) Operation of the alternative power supply for the steering gear if the vessel is so equipped.

(1849)

§164.30 Charts, publications, and equipment: General.

(1850) No person may operate or cause the operation of a vessel unless the vessel has the marine charts, publications, and equipment as required by §§164.33 through 164.41 of this part.

(1851)

§164.33 Charts and publications.

(1852) (a) Each vessel must have the following:

(1853) (1) Marine charts of the area to be transited, published by the National Ocean Service, U.S. Army Corps of Engineers, or a river authority that—

(1854) (i) Are of a large enough scale and have enough detail to make safe navigation of the area possible; and

(1855) (ii) Are currently corrected.

(1856) (2) For the area to be transited, a currently corrected copy of, or applicable currently corrected extract from, each of the following publications:

(1857) (i) U.S. Coast Pilot.

(1858) (ii) Coast Guard Light List.

(1859) (3) For the area to be transited, the current edition of, or applicable current extract from:

(1860) (i) Tide tables published by private entities using data provided by the National Ocean Service.

(1861) (ii) Tidal current tables published by private entities using data provided by the National Ocean Service, or river current publication issued by a river authority.

(1862) (b) As an alternative to the requirements for paragraph (a) of this section, a marine chart or publication, or applicable extract, published by a foreign government may be substituted for a U.S. chart and publication required by this section. The chart must be of large enough scale and have enough detail to make safe navigation of the area possible, and must be currently corrected.

The publication, or applicable extract, must singly or in combination contain similar information to the U.S. Government publication to make safe navigation of the area possible. The publication, or applicable extract must be currently corrected, with the exceptions of tide and tidal current tables, which must be the current editions.

(1863) (c) As used in this section, "currently corrected" means corrected with changes contained in all Notices to Mariners published by National Geospatial-Intelligence Agency, or an equivalent foreign government publication, reasonably available to the vessel, and that is applicable to the vessel's transit.

(1864)

§164.35 Equipment: All vessels.

(1865) Each vessel must have the following:

(1866) (a) A marine radar system for surface navigation.

(1867) (b) An illuminated magnetic steering compass, mounted in a binnacle, that can be read at the vessel's main steering stand.

(1868) (c) A current magnetic compass deviation table or graph or compass comparison record for the steering compass, in the wheelhouse.

(1869) (d) A gyrocompass.

(1870) (e) An illuminated repeater for the gyrocompass required by paragraph (d) of this section that is at the main steering stand, unless that gyrocompass is illuminated and is at the main steering stand.

(1871) (f) An illuminated rudder angle indicator in the wheelhouse.

(1872) (g) The following maneuvering information prominently displayed on a fact sheet in the wheelhouse:

(1873) (1) A turning circle diagram to port and starboard that shows the time and distance and advance and transfer required to alter course 90 degrees with maximum rudder angle and constant power settings, for either full and half speeds, or for full and slow speeds. For vessels whose turning circles are essentially the same for both directions, a diagram showing a turning circle in one direction, with a note on the diagram stating that turns to port and starboard are essentially the same, may be substituted.

(1874) (2) The time and distance to stop the vessel from either full and half speeds, or from full and slow speeds, while maintaining approximately the initial heading with minimum application of rudder.

(1875) (3) For each vessel with a fixed propeller, a table of shaft revolutions per minute for a representative range of speeds.

(1876) (4) For each vessel with a controllable pitch propeller, a table of control settings for a representative range of speeds.

(1877) (5) For each vessel that is fitted with an auxiliary device to assist in maneuvering, such as a bow thruster, a table of vessel speeds at which the auxiliary device is effective in maneuvering the vessel.

(1878) (6) The maneuvering information for the normal load and normal ballast condition for:

(1879) (i) Calm weather—wind 10 knots or less, calm sea;

(1880) (ii) No current;

(1881) (iii) Deep water conditions—water depth twice the vessel's draft or greater; and

(1882) (iv) Clean hull.

(1883) (7) At the bottom of the fact sheet, the following statement:

(1884)

WARNING

The response of the (name of the vessel) may be different from that listed above if any of the following conditions, upon which the maneuvering information is based, are varied:
(1) Calm weather—wind 10 knots or less, calm sea;
(2) No current;
(3) Water depth twice the vessel's draft or greater;
(4) Clean hull; and
(5) Intermediate drafts or unusual trim.

(1885) (h) An echo depth sounding device.

(1886) (i) A device that can continuously record the depth readings of the vessel's echo depth sounding device, except when operating on the Great Lakes and their connecting and tributary waters.

(1887) (j) Equipment on the bridge for plotting relative motion.

(1888) (k) Simple operating instructions with a block diagram, showing the changeover procedures for remote steering gear control systems and steering gear power units, permanently displayed on the navigating bridge and in the steering gear compartment.

(1889) (l) An indicator readable from the centerline conning position showing the rate of revolution of each propeller, except when operating on the Great Lakes and their connecting and tributary waters.

(1890) (m) If fitted with controllable pitch propellers, an indicator readable from the centerline conning position showing the pitch and operational mode of such propellers, except when operating on the Great Lakes and their connecting and tributary waters.

(1891) (n) If fitted with lateral thrust propellers, an indicator readable from the centerline conning position showing the direction and amount of thrust of such propellers, except when operating on the Great Lakes and their connecting and tributary waters.

(1892) (o) A telephone or other means of communication for relaying headings to the emergency steering station. Also, each vessel of 500 gross tons and over and constructed on or after June 9, 1995 must be provided with arrangements for supplying visual compass-readings to the emergency steering station.

(1893)

§164.37 Equipment: Vessels of 10,000 gross tons or more.

(1894) (a) Each vessel of 10,000 gross tons or more must have, in addition to the radar system under §164.35(a), a second marine radar system that operates independently of the first.

(1895) **Note:** Independent operation means two completely separate systems, from separate branch power supply circuits or distribution panels to antennas, so that failure

of any component of one system will not render the other system inoperative.

(1896) (b) On each tanker of 10,000 gross tons or more that is subject to 46 U.S.C. 3708, the dual radar system required by this part must have a short range capability and a long range capability; and each radar must have true north features consisting of a display that is stabilized in azimuth.

(1897)

§164.38 Automatic radar plotting aids (ARPA).

(1898) (See 33 CFR 164.)

(1899)

§164.39 Steering gear: Foreign tankers.

(1900) (a) This section applies to each foreign tanker of 10,000 gross tons or more, except a public vessel, that -

(1901) (1) Transfers oil at a port or place subject to the jurisdiction of the United States; or

(1902) (2) Otherwise enters or operates in the navigable waters of the United States, except a vessel described by §164.02 of this part.

(1903) (b) *Definitions*. The terms used in this section are as follows:

(1904) *Constructed* means the same as in Chapter II-1, Regulations 1.1.2 and 1.1.3.1, of SOLAS 74.

(1905) *Existing tanker* means a tanker–

(1906) (1) For which the building contract is placed on or after June 1, 1979;

(1907) (2) In the absence of a building contract, the keel of which is laid or which is at a similar stage of construction on or after January 1, 1980;

(1908) (3) The delivery of which occurs on or after June 1, 1982; or

(1909) (4) That has undergone a major conversion contracted for on or after June 1, 1979; or construction of which was begun on or after January 1, 1980, or completed on or after June 1, 1982.

(1910) *Public vessel, oil, hazardous materials, and foreign vessel* mean the same as in 46 U.S.C. 2101.

(1911) *SOLAS 74* means the International Convention for the Safety of Life at Sea, 1974, as amended.

(1912) *Tanker* means a self-propelled vessel defined as a tanker by 46 U.S.C. 2101(38) or as a tank vessel by 46 U.S.C. 2101(39).

(1913) (c) Each tanker constructed on or after September 1, 1984, must meet the applicable requirements of Chapter II-1, Regulations 29 and 30, of SOLAS 74.

(1914) (d) Each tanker constructed before September 1, 1984, must meet the requirements of Chapter II-1, Regulation 29.19, of SOLAS 74.

(1915) (e) Each tanker of 40,000 gross tons or more, constructed before September 1, 1984, that does not meet the single-failure criterion of Chapter II-1, Regulation 29.16, of SOLAS 74, must meet the requirements of Chapter II-1, Regulation 29.20, of SOLAS 74.

(1916) (f) Each tanker constructed before September 1, 1984, must meet the applicable requirements of Chapter II-1, Regulations 29.14 and 29.15, of SOLAS 74.

(1917)

§164.40 Devices to indicate speed and distance.

(1918) (a) Each vessel required to be fitted with an Automatic Radar Plotting Aid (ARPA) under §164.38 of this part must be fitted with a device to indicate speed and distance of the vessel either through the water or over the ground.

(1919) (b) The device must meet the following specifications:

(1920) (1) The display must be easily readable on the bridge by day or night.

(1921) (2) Errors in the indicated speed, when the vessel is operating free from shallow water effect, and from the effects of wind, current, and tide, should not exceed 5 percent of the speed of the vessel, or 0.5 knot, whichever is greater.

(1922) (3) Errors in the indicated distance run, when the vessel is operating free from shallow water effect, and from the effects of wind, current, and tide, should not exceed 5 percent of the distance run of the vessel in one hour or 0.5 nautical mile in each hour, whichever is greater.

(1923)

§164.41 Electronic position fixing devices.

(1924) (a) Each vessel calling at a port in the continental United States, including Alaska south of Cape Prince of Wales, except each vessel owned or bareboat chartered and operated by the United States, or by a state or its political subdivision, or by a foreign nation, and not engaged in commerce, must have a satellite navigation receiver with—

(1925) (1) Automatic acquisition of satellite signals after initial operator settings have been entered; and

(1926) (2) Position updates derived from satellite information during each usable satellite pass.

(1927) (b) A system that is found by the Commandant to meet the intent of the statements of availability, coverage, and accuracy for the U.S. Coastal Confluence Zone (CCZ) contained in the U.S. "Federal Radionavigation Plan" (Report No. DOD-NO 4650.4-P, I or No. DOT-TSC-RSPA-80-16, I). A person desiring a finding by the Commandant under this subparagraph must submit a written application describing the device to the Coast Guard Deputy Commander for Operations (CG-DCO), 2100 2nd St, SW., Stop 7471, Washington, DC 20593-7471. After reviewing the application, the Commandant may request additional information to establish whether or not the device meets the intent of the Federal Radionavigation Plan. Note: The Federal Radionavigation Plan is available from the National Technical Information Service, Springfield, VA 22161, with the following Government Accession Numbers:

(1928) Vol 1, ADA 116468

(1929) Vol 2, ADA 116469

(1930) Vol 3, ADA 116470

(1931) Vol 4, ADA 116471

(1932)

§164.42 Rate of turn indicator.

(1933) Each vessel of 100,000 gross tons or more constructed on or after September 1, 1984, shall be fitted with a rate of turn indicator.

(1934)

§164.43 [Removed]

(1935)

§164.46 Automatic Identification System.

(1936) (a) *Definitions*. As used in this section—Automatic Identification Systems or AIS means a maritime navigation safety communications system standardized by the International Telecommunication Union (ITU), adopted by the International Maritime Organization (IMO), that—

(1937) (1) Provides vessel information, including the vessel's identity, type, position, course, speed, navigational status and other safety-related information automatically to appropriately equipped shore stations, other ships, and aircraft;

(1938) (2) Receives automatically such information from similarly fitted ships, monitors and tracks ships; and

(1939) (3) Exchanges data with shore-based facilities.

(1940) *Gross tonnage* means tonnage as defined under the International Convention on Tonnage Measurement of Ships, 1969.

(1941) *International voyage* means a voyage from a country to which the present International Convention for the Safety of Life at Sea applies to a port outside such country, or conversely.

(1942) Properly installed, operational means an Automatic Identification System (AIS) that is installed and operated using the guidelines set forth by the International Maritime Organization (IMO) Resolution A.917(22) and Safety of Navigation Circulars (SN/Circ.) 227, 244, 245, and SN.1/Circ.289; or National Marine Electronics Association (NMEA) Installation Standard 0400–3.10 in lieu of SN/Circ.227 and 245 (incorporated by reference, see §164.03).

(1943) (b) *AIS carriage*—(1) *AIS Class A device*. The following vessels must have on board a properly installed, operational Coast Guard type-approved AIS Class A device:

(1944) (i) A self-propelled vessel of 65 feet or more in length, engaged in commercial service.

(1945) (ii) A towing vessel of 26 feet or more in length and more than 600 horsepower, engaged in commercial service.

(1946) (iii) A self-propelled vessel that is certificated to carry more than 150 passengers.

(1947) (iv) A self-propelled vessel engaged in dredging operations in or near a commercial channel or shipping fairway in a manner likely to restrict or affect navigation of other vessels.

(1948) (v) A self-propelled vessel engaged in the movement of—

(1949) (A) Certain dangerous cargo as defined in subpart C of part 160 of this chapter, or

(1950) (B) Flammable or combustible liquid cargo in bulk that is listed in 46 CFR 30.25–1, Table 30.25–1.

(1951) (2) *AIS Class B device*. Use of a Coast Guard type-approved AIS Class B device in lieu of an AIS Class A device is permissible on the following vessels if they are not subject to pilotage by other than the vessel Master or crew:

(1952) (i) Fishing industry vessels;

(1953) (ii) Vessels identified in paragraph (b)(1)(i) of this section that are certificated to carry less than 150 passengers and that—

(1954) (A) Do not operate in a Vessel Traffic Service (VTS) or Vessel Movement Reporting System (VMRS) area defined in Table 161.12(c) of §161.12 of this chapter, and

(1955) (B) Do not operate at speeds in excess of 14 knots; and

(1956) (iii) Vessels identified in paragraph (b)(1)(iv) of this section engaged in dredging operations.

(1957) *Note to paragraph (b)*: Under 33 U.S.C. 1223(b)(3) and 33 CFR 160.111, a Coast Guard Captain of the Port (COTP) may restrict the operation of a vessel if he or she determines that by reason of weather, visibility, sea conditions, port congestion, other hazardous circumstances, or the condition of such vessel, the restriction is justified in the interest of safety. In certain circumstances, if a COTP is concerned that the operation of a vessel not subject to §164.46 would be unsafe, the COTP may determine that voluntary installation of AIS by the operator would mitigate that concern. Fishing industry vessels include fishing vessels, fish processing vessels, and fish tender vessels as defined in 46 U.S.C. 2101.

(1958) (c) *SOLAS provisions*. The following self-propelled vessels must comply with International Convention for Safety of Life at Sea (SOLAS), as amended, Chapter V, regulation 19.2.1.6 (Positioning System), 19.2.4 (AIS Class A), and 19.2.3.5 (Transmitting Heading Device) or 19.2.5.1 (Gyro Compass) as applicable (Incorporated by reference, see §164.03):

(1959) (1) A vessel of 300 gross tonnage or more, on an international voyage.

(1960) (2) A vessel of 150 gross tonnage or more, when carrying more than 12 passengers on an international voyage.

(1961) (d) Operations. The requirements in this paragraph are applicable to any vessel equipped with AIS.

(1962) (1) Use of AIS does not relieve the vessel of the requirements to sound whistle signals or display lights or shapes in accordance with the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), 28 U.S.T. 3459, T.I.A.S. 8587, or Inland Navigation Rules, 33 CFR part 83; nor of the radio requirements of the Vessel Bridge-to-Bridge Radiotelephone Act, 33 U.S.C. 1201–1208, part 26 of this chapter, and 47 CFR part 80.

(1963) (2) AIS must be maintained in effective operating condition, which includes—

(1964) (i) The ability to reinitialize the AIS, which requires access to and knowledge of the AIS power source and password;

(1965) (ii) The ability to access AIS information from the primary conning position of the vessel;

(1966) (iii) The accurate broadcast of a properly assigned Maritime Mobile Service Identity (MMSI) number;

(1967) (iv) The accurate input and upkeep of all AIS data fields and system updates; and

(1968) (v) For those vessels denoted in paragraph (b) of this section, the continual operation of AIS and its associated devices (*e.g.*, positioning system, gyro, converters, displays) at all times while the vessel is underway or at anchor, and, if moored, at least 15 minutes prior to getting underway; except when its operation would compromise the safety or security of the vessel or a security incident is imminent. The AIS should be returned to continuous operation as soon as the compromise has been mitigated or the security incident has passed. The time and reason for the silent period should be recorded in the ship's official log and reported to the nearest Captain of the Port or Vessel Traffic Center (VTC).

(1969) (3) AIS safety-related text messaging must be conducted in English and solely to exchange or communicate pertinent navigation safety information (analogous to a SECURITE broadcast). Although not prohibited, AIS text messaging should not be relied upon as the primary means for broadcasting distress (MAYDAY) or urgent (PAN PAN) communications. (47 CFR 80.1109, Distress, urgency, and safety communications).

(1970) (4) AIS application-specific messaging (ASM) is permissible, but is limited to applications adopted by the International Maritime Organization (such as IMO SN.1/Circ.289) or those denoted in the International Association of Marine Aids to Navigation and Lighthouse Authorities' (IALA) ASM Collection for use in the United States or Canada, and to no more than one ASM per minute.

(1971) *Note to paragraph (d)*: The Coast Guard has developed the "U.S. AIS Encoding Guide" to help ensure consistent and accurate data encoding (input) by AIS users. This Guide is available at our "AIS Frequently Asked Questions" (FAQ #2) World Wide Web page at *www.navcen.uscg.gov*. Although of great benefit, the interfacing or installation of other external devices or displays (*e.g.*, transmitting heading device, gyro, rate of turn indicator, electronic charting systems, and radar), is not currently required except as denoted in §164.46(c). Most applicationspecific messages require interfacing to an external system that is capable of their portrayal, such as equipment certified to meet Radio Technical Commission for Maritime Services (RTCM) electronic chart system (ECS) standard 10900 series.

(1972) (e) Watchkeeping. AIS is primarily intended for use by the Master or person in charge of the vessel, or by the person designated by the Master or person in charge to pilot or direct the movement of the vessel, who must maintain a periodic watch for AIS information.

(1973) (f) Portable AIS. The use of a portable AIS is permissible only to the extent that electromagnetic interference does not affect the proper function of existing navigation and communication equipment on board and such that only one AIS device may be transmitting on board a vessel at any one time.

(1974) (g) AIS Pilot Plug. The AIS Pilot Plug on any vessel subject to pilotage by other than the vessel Master or crew must be readily available and easily accessible from the primary conning position of the vessel and permanently affixed (not an extension cord) and adjacent (within 3 feet) to a 120-volt 50/ 60 Hz AC power receptacle (NEMA 5–15).

(1975) (h) Exceptions. The following vessels may seek up to a 5-year deviation from the AIS requirements of this section by requesting a deviation under §164.55.

(1976) (1) Vessels that operate solely within a very confined area (*e.g.*, less than a 1 nautical-mile radius, shipyard, or barge fleeting facility);

(1977) (2) Vessels that conduct only short voyages (less than 1 nautical mile) on a fixed schedule (*e.g.*, a bank-to-bank river ferry service or a tender vessel);

(1978) (3) Vessels that are not likely to encounter other AIS-equipped vessels;

(1979) (4) Vessels whose design or construction makes it impracticable to operate an AIS device (*e.g.*, those that lack electrical power, have an exposed or open cabin, or are submersible); or

(1980) (5) Vessels denoted in paragraph (b)(2) that seek a deviation from requirements in paragraphs (d)(2)(ii) and (e) of this section because their AIS Class B device lacks a display.

(1981) (i) Prohibition. Except for maritime support stations (see 47 CFR 80.5) licensed by the Federal Communications Commission (FCC), broadcasts from AIS Class A or B devices on aircraft, non-self propelled vessels or from land are prohibited.

(1982) (j) Implementation date. Those vessels identified in paragraphs (b) and (c) of this section that were not previously subject to AIS carriage must install AIS no later than March 1, 2016.

(1983)

§164.51 Deviations from rules: Emergency.

(1984) Except for the requirements of §164.53(b), in an emergency, any person may deviate from any rule in this part to the extent necessary to avoid endangering persons, property, or the environment.

(1985)

§164.53 Deviations from rules and reporting: Non-operating equipment.

(1986) (a) If during a voyage any equipment required by this part stops operating properly, the person directing the movement of the vessel may continue to the next port of call, subject to the directions of the District Commander or the Captain of the Port, as provided by 33 CFR 160.

(1987) (b) If the vessel's automatic identification system (AIS), radar, radio navigation receivers, gyrocompass, echo depth sounding device, or primary steering gear stops operating properly, the person directing the movement of the vessel must report or cause to be reported that it is not operating properly to the nearest Captain of the Port, District Commander, or, if participating in a Vessel Traffic Service, to the Vessel Traffic Center, as soon as possible.

(1988)

§164.55 Deviations from rules: Continuing operation or period of time.

(1989) The Captain of the Port, upon written application, may authorize a deviation from any rule in this part if he determines that the deviation does not impair the safe navigation of the vessel under anticipated conditions and will not result in a violation of the rules for preventing collisions at sea. The authorization may be issued for vessels operating in the waters under the jurisdiction of the Captain of the Port for any continuing operation or period of time the Captain of the Port specifies.

(1990)

§164.61 Marine casualty reporting and record retention.

(1991) When a vessel is involved in a marine casualty as defined in 46 CFR 4.03-1, the master or person in charge of the vessel shall–

(1992) (a) Ensure compliance with 46 CFR 4.05, "Notice of Marine Casualty and Voyage Records," and

(1993) (b) Ensure that the voyage records required by 46 CFR 4.05-15 are retained for–

(1994) (1) 30 days after the casualty if the vessel remains in the navigable waters of the United States; or

(1995) (2) 30 days after the return of the vessel to a United States port if the vessel departs the navigable waters of the United States within 30 days after the marine casualty.

(1996)

§164.70 Definitions.

(1997) For purposes of §§164.72 through 164.82, the term—

(1998) *Current edition* means the most recent published version of a publication, chart, or map required by §164.72.

(1999) *Currently corrected edition* means a current or previous edition of a publication required by §164.72, corrected with changes that come from Notice to Mariners (NTMs) or Notices to Navigation reasonably available and that apply to the vessel's transit. Hand-annotated river maps from U.S. Army Corps of Engineers (ACOE) are currently corrected editions if issued within the previous 5 years.

(2000) *Great Lakes* means the Great Lakes and their connecting and tributary waters including the Calumet River as far as the Thomas J. O'Brien Lock and Controlling Works (between Miles 326 and 327), the Chicago River as far as the east side of the Ashland Avenue Bridge (between Miles 321 and 322), and the Saint Lawrence River as far east as the lower exit of Saint Lambert Lock.

(2001) *Merchant mariner credential or MMC* means the credential issued by the Coast Guard under 46 CFR part 10. It combines the individual merchant mariner's document, license, and certificate of registry enumerated in 46 U.S.C. subtitle II part E as well as the STCW endorsement into a single credential that serves as the mariner's qualification document, certificate of identification, and certificate of service.

(2002) *Swing-meter* means an electronic or electric device that indicates that rate of turn of the vessel on board which it is installed.

(2003) *Towing vessel* means a commercial vessel engaged in or intending to engage in pulling, pushing or hauling alongside, or any combination of pulling, pushing, or hauling alongside.

(2004) *Western Rivers* means the Mississippi River, its tributaries, South Pass, and Southwest Pass, to the navigational-demarcation lines dividing the high seas from harbors, rivers, and other inland waters of the United States, and the Port Allen-Morgan City Alternative Route, and that part of the Atchafalaya River above its junction with the Port Allen-Morgan City Alternative Route including the Old River and the Red River and those waters specified by §§89.25 and 89.27 of this chapter, and such other, similar waters as are designated by the COTP.

(2005)

§164.72 Navigational-safety equipment, charts or maps, and publications required on towing vessels.

(2006) (a) Except as provided by §164.01(b), each towing vessel must be equipped with the following navigational-safety equipment:

(2007) (1) *Marine Radar*. By August 2, 1997, a marine radar that meets the following applicable requirements:

(2008) (i) For a vessel of less than 300 tons gross tonnage that engages in towing on navigable waters of the U.S., including Western Rivers, the radar must meet—

(2009) (A) The requirements of the Federal Communications Commission (FCC) specified by 47 CFR part 80; and

(2010) (B) RTCM Standard for Marine Radar Equipment Installed on Ships of Less Than 300 Tons Gross Tonnage, RTCM Paper-71-95/SC112-STD, Version 1.1, display Category II and stabilization Category Bravo.

(2011) (ii) For a vessel of less than 300 tons gross tonnage that engages in towing seaward of navigable waters of the U.S. or more than three nautical miles from shore on the Great Lakes, the radar must meet—

(2012) (A) The requirements of the FCC specified by 47 CFR part 80; and

(2013) (B) RTCM Standard for Marine Radar Equipment Installed on Ships of Less Than 300 Tons Gross Tonnage, RTCM Paper 71-95/SC112-STD, Version 1.1, display Category I and stabilization Category Alpha.

(2014) (iii) For a vessel of 300 tons gross tonnage or more that engages in towing on navigable waters of the U.S., including Western rivers, the radar must meet—

(2015) (A) The requirements of the Federal Communications Commission (FCC) specified by 47 CFR part 80; and

(2016) (B) RTCM Recommended Standards for Marine Radar Equipment Installed on Ships of 300 Tons Gross Tonnage and Upwards, RTCM Paper 191-93/SC112-X, Version 1.2 except the requirements for azimuth stabilization in paragraph 3.10.

(2017) (iv) For a vessel of 300 tons gross tonnage or more that engages in towing seaward of navigable waters of the U.S. or more than three nautical miles from shore on the Great Lakes, the radar must meet—

(2018) (A) The requirements of the FCC specified by 47 CFR Part 80; and

(2019) (B) RTCM Recommended Standards for Marine Radar Equipment Installed on Ships of 300 Tons Gross Tonnage and Upwards, RTCM Paper 191-93/SC112-X, Version 1.2.

(2020) (v) A towing vessel with an existing radar must meet the applicable requirements of paragraphs (a)(1)(i) through (iv) of this section by August 2, 1998; except that a towing vessel with an existing radar must meet the display and stabilization requirements of paragraph (a)(1)(ii)(B) of this section by August 2, 2001.

(2021) (2) *Searchlight*. A searchlight, directable from the vessel's main steering station and capable of illuminating objects at a distance of at least two times the length of the tow.

(2022) (3) *VHF-FM Radio*. An installation or multiple installations of VHF-FM radios as prescribed by part 26 of this chapter and 47 CFR part 80, to maintain a continuous listening watch on the designated calling channel, VHF-FM Channel 13 (except on portions of the Lower Mississippi River, where VHF-FM Channel 67 is the designated calling channel), and to separately monitor the International Distress and Calling Channel, VHF-FM Channel 16, except when transmitting or receiving traffic on other VHF-FM channels or when participating in a Vessel Traffic Service (VTS) or monitoring a channel of a VTS. (Each U.S. towing vessel of 26 feet (about 8 meters) or more in length, except a public vessel, must hold a ship-radio-station license for radio transmitters (including radar and EPIRBs), and each operator must hold a restricted operator's license or higher. To get an application for either license, call (800) 418–FORM or (202) 418–FORM, or write to the FCC; Wireless Bureau, Licensing Division; 1270 Fairfield Road; Gettysburg, PA 17325-7245.)

(2023) (4) *Magnetic compass*. Either—

(2024) (i) An illuminated swing-meter or an illuminated card-type magnetic steering compass readable from the vessel's main steering station, if the vessel engages in towing exclusively on Western Rivers; or

(2025) (ii) An illuminated card-type magnetic steering compass readable from the vessel's main steering station.

(2026) (5) *Echo depth-sounding device*. By August 2, 2001, an echo depth-sounding device readable from the vessel's main steering station, unless the vessel engages in towing exclusively on Western Rivers.

(2027) (6) *Electronic position-fixing device*. An electronic position-fixing device, a satellite navigational system such as the Global Positioning System (GPS) as required by §164.41, if the vessel engages in towing seaward of navigable waters of the U.S. or more than three nautical miles from shore on the Great Lakes.

(2028) (b) Each towing vessel must carry on board and maintain the following:

(2029) (1) *Charts or maps*. Marine charts or maps of the areas to be transited, published by the National Ocean Service (NOS), the ACOE, or a river authority that satisfy the following requirements.

(2030) (i) The charts or maps must be of a large enough scale and have enough detail to make safe navigation of the areas possible.

(2031) (ii) The charts or maps must be either—

(2032) (A) Current editions or currently corrected editions, if the vessel engages in towing exclusively on navigable waters of the U.S., including Western Rivers; or

(2033) (B) Currently corrected editions, if the vessel engages in towing seaward of navigable waters of the U.S. or more than three nautical miles from shore on the Great Lakes.

(2034) (iii) The charts or maps may be, instead of charts or maps required by paragraphs (b)(1) (i) and (ii) of this section, currently corrected marine charts or maps, or applicable extracts, published by a foreign government. These charts or maps, or applicable extracts, must contain information similar to that on the charts or maps required by paragraphs (b)(1) (i) and (ii) of the section, be of large enough scale, and have enough detail to make safe navigation of the areas possible, and must be currently corrected.

(2035) (2) *General publications*. A currently corrected edition of, or an applicable currently corrected extract from, each of the following publications for the area to be transited:

(2036) (i) If the vessel is engaged in towing exclusively on Western Rivers—

(2037) (A) U.S. Coast Guard Light List;

(2038) (B) Applicable Notices to Navigation published by the ACOE, or Local Notices to Marines (LNMs) published by the Coast Guard, for the area to be transited, when available; and

(2039) (C) River-current tables published by a river authority, if available.

(2040) (ii) If the vessel is engaged other than in towing exclusively on Western Rivers—

(2041) (A) Coast Guard Light List;

(2042) (B) Notices to Mariners published by the National Geospatial-Intelligence Agency, or LNMs published by the Coast Guard;

(2047)

TABLE 164.72 – Equipment, Charts or Maps, and Publications of Towing Vessels for 12 Meters or More in Length

	Western Rivers	U.S. Navigable Waters (other than Western Rivers)	Waters seaward of Navigable Waters and 3 NM or more from shore on the Great Lakes
Marine Radar: Towing Vessels of less than 300 GT	RTCM Paper 71-95/SC112-STD Version 1.1 Display Category II[1] Stabilization Category BRAVO	RTCM Paper 71-95/SC112-STD Version 1.1 Display Category II[1] Stabilization Category BRAVO	RTCM Paper 71-95/SC112-STD Version 1.1 Display Category I[2] Stabilization Category ALPHA
Towing Vessels of 300 GT or more	RTCM Paper 191-93/SC112-X Version 1.2 (except the Azimuth stabilization requirement in paragraph 3.10)[1]	RTCM Paper 191-93/SC112-X Version 1.2 (except the Azimuth stabilization requirement in paragraph 3.10)[1]	RTCM Paper 191-93/SC112-X Version 1.2[1]
Searchlight	X	X	X
VHF-FM Radio	X	X	X
Magnetic Compass	X[3]	X	X
Swing Meter	X[3]		
Echo Depth-sounding Device		X	X
Electronic Position Fixing Device			X
Charts or Maps	(1) Large enough scale (2) Current edition or currently corrected edition	(1) Large enough scale (2) Current edition or currently corrected edition	(1) Large enough scale (2) Currently corrected edition
General Publications	(1) U.S. Coast Guard Light List (2) Notices to Navigation or Local Notices to Mariners (3) River-current Tables	(1) U.S. Coast Guard Light List (2) Local Notices to Mariners (3) Tidal-current Tables (4) Tide Tables (5) U.S. Coast Pilot	(1) U.S. Coast Guard Light List (2) Local Notices to Mariners (3) Tidal-current Tables (4) Tide Tables (5) U.S. Coast Pilot

Notes:
[1] Towing vessels with existing radar must meet this requirement by August 2, 1998.
[2] Towing vessels with existing radar must meet this requirement by August 2, 1998 but do not need to meet the display and stabilization requirements until August 2, 2001.
[3] A towing vessel may carry either a swing-meter or a magnetic compass.

(2043) (C) Tidal-Current tables published by private entities using data provided by the NOS, or river-current tables published by the ACOE or a river authority:

(2044) (D) Tide tables published by private entities using data provided by the NOS; and

(2045) (E) U.S. Coast Pilot.

(2046) (c) Table 164.72, following, summarizes the navigational-safety equipment, charts or maps, and publications required for towing vessels of 12 meters or more in length engaged in towing:

(2048)

§164.74 Towline and terminal gear for towing astern.

(2049) (a) *Towline*. The owner, master, or operator of each vessel towing astern shall ensure that the strength of each towline is adequate for its intended service, considering at least the following factors:

(2050) (1) The size and material of each towline must be—

(2051) (i) Appropriate for the horsepower or bollard pull of the vessel;

(2052) (ii) Appropriate for the static loads and dynamic loads expected during the intended service;

(2053) (iii) Appropriate for the sea conditions expected during the intended service;

(2054) (iv) Appropriate for exposure to the marine environment and to any chemicals used or carried on board the vessel;

(2055) (v) Appropriate for the temperatures of normal stowage and service on board the vessel;

(2056) (vi) Compatible with associated navigational-safety equipment; and

(2057) (vii) Appropriate for the likelihood of mechanical damage.

(2058) (2) Each towline as rigged must be—

(2059) (i) Free of knots;

(2060) (ii) Spliced with a thimble, or have a poured socket at its end; and

(2061) (iii) Free of wire clips except for temporary repair, for which the towline must have a thimble and either five wire clips or as many wire clips as the manufacturer specifies for the nominal diameter and construction of the towline, whichever is more.

(2062) (3) The condition of each towline must be monitored through the—

(2063) (i) Keeping on board the towing vessel or in company files of a record of the towline's initial minimum breaking strength as determined by the manufacturer, by a classification ("class") society authorized in §157.04 of this chapter, or by a tensile test that meets API Specifications 9A, Specification for Wire Rope, Section 3; ASTM D 4268 (incorporated by reference, see §164.03), Standard Test Method for Testing Fiber Ropes; or Cordage Institute CIA 3, Standard Test Methods for Fiber Rope Including Standard Terminations;

(2064) (ii) If the towline is purchased from another owner, master, or operator of a vessel with the intent to use it as a towline or if it is retested for any reason, keeping on board the towing vessel or in company files of a record of each retest of the towline's minimum breaking

strength as determined by a class society authorized in §157.04 of this chapter or by a tensile test that meets API Specification 9A, Section 3; ASTM D 4268 (incorporated by reference, see §164.03); or Cordage Institute CIA 3, Standard Test Methods;

(2065) (iii) Conducting visual inspections of the towline in accordance with the manufacturer's recommendations, or at least monthly, and whenever the serviceability of the towline is in doubt (the inspections being conducted by the owner, master, or operator, or by a person on whom the owner, master, or operator confers the responsibility to take corrective measures appropriate for the use of the towline);

(2066) (iv) Evaluating the serviceability of the whole towline or any part of the towline, and removing the whole or part from service either as recommended by the manufacturer or a class society authorized in §157.04 of this chapter or in accordance with a replacement schedule developed by the owner, master, or operator that accounts for at least the—

(2067) (A) Nautical miles on, or time in service of, the towline;

(2068) (B) Operating conditions experienced by the towline;

(2069) (C) History of loading of the towline;

(2070) (D) Surface condition, including corrosion and discoloration, of the towline;

(2071) (E) Amount of visible damage to the towline;

(2072) (F) Amount of material deterioration indicated by measurements of diameter and, if applicable, measurements of lay extension of the towline; and

(2073) (G) Point at which a tensile test proves the minimum breaking strength of the towline inadequate by the standards of paragraph (a)(1) of this section, if necessary; and

(2074) (v) Keeping on board the towing vessel or in company files of a record of the material condition of the towline when inspected under paragraphs (a)(3)(iii) and (iv) of this section. Once this record lapses for three months or more, except when a vessel is laid up or out of service or has not deployed its towline, the owner, master, or operator shall retest the towline or remove it from service.

(2075) (b) *Terminal gear*. The owner, master, or operator of each vessel towing astern shall ensure that the gear used to control, protect, and connect each towline meets the following criteria:

(2076) (1) The material and size of the terminal gear are appropriate for the strength and anticipated loading of the towline and for the environment;

(2077) (2) Each connection is secured by at least one nut with at least one cotter pin or other means of preventing its failure;

(2078) (3) The lead of the towline is appropriate to prevent sharp bends in the towline from fairlead blocks, chocks, or tackle;

(2079) (4) There is provided a method, whether mechanical or non-mechanical, that does not endanger operating personnel but that easily releases the towline;

(2080) (5) The towline is protected from abrasion or chafing by chafing gear, lagging, or other means;

(2081) (6) Except on board a vessel towing in ice on Western Rivers or one using a towline of synthetic or natural fiber, there is fitted a winch that evenly spools and tightly winds the towline; and

(2082) (7) If a winch is fitted, there is attached to the main drum a brake that has holding power appropriate for the horsepower or bollard pull of the vessel and can be operated without power to the winch.

(2083)

§164.76 Towline and terminal gear for towing alongside and pushing ahead.

(2084) The owner, master, or operator of each vessel towing alongside or pushing ahead shall ensure the face wires, spring lines, and push gear used—

(2085) (a) Are appropriate for the vessel's horsepower;

(2086) (b) Are appropriate for the arrangement of the tow;

(2087) (c) Are frequently inspected; and

(2088) (d) Remain serviceable.

(2089)

§164.78 Navigation under way: Towing vessels.

(2090) (a) The owner, master, or operator of each vessel towing shall ensure that each person directing and controlling the movement of the vessel—

(2091) (1) Understands the arrangement of the tow and the effects of maneuvering on the vessel towing and on the vessel, barge, or object being towed;

(2092) (2) Can fix the position of the vessel using installed navigational equipment, aids to navigation, geographic reference-points, and hydrographic contours;

(2093) (3) Does not fix the position of the vessel using buoys alone (Buoys are aids to navigation placed in approximate positions either to alert mariners to hazards to navigation or to indicate the orientation of a channel. They may not maintain exact charted positions, because strong or varying currents, heavy seas, ice and collisions with vessels can move or sink them or set them adrift. Although they may corroborate a position fixed by other means, they cannot fix a position; however, if no other aids are available, buoys alone may establish an estimated position.);

(2094) (4) Evaluates the danger of each closing visual or radar contact;

(2095) (5) Knows and applies the variation and deviation, where a magnetic compass is fitted and where charts or maps have enough detail to enable this type of correction;

(2096) (6) Knows the speed and direction of the current, and the set, drift, and tidal state for the area to be transited;

(2097) (7) Proceeds at a safe speed taking into account the weather, visibility, density of traffic, draft of tow, possibility of wake damage, speed and direction of the current, and local speed-limits; and

(2098) (8) Monitors the voyage plan required by §164.80.

(2099) (b) The owner, master, or operator of each vessel towing shall ensure that the tests and inspections required

by §164.80 are conducted and that the results are entered in the log or other record carried on board.

(2100)

§164.80 Tests, inspections, and voyage planning.

(2101) (a) The owner, master, or operator of each towing vessel of less than 1,600 GT shall ensure that the following tests and inspections of gear occur before the vessel embarks on a voyage of more than 24 hours or when each new master or operator assumes command:

(2102) (1) *Steering-systems*. A test of the steering-gear-control system; a test of the main steering gear from the alternative power supply, if installed; a verification of the rudder-angle indicator relative to the actual position of the rudder; and a visual inspection of the steering gear and its linkage.

(2103) (2) *Navigational equipment*. A test of all installed navigational equipment.

(2104) (3) *Communications*. Operation of all internal vessel control communications and vessel-control alarms, if installed.

(2105) (4) *Lights*. Operation of all navigational lights and all searchlights.

(2106) (5) *Terminal gear*. Visual inspection of tackle; of connections of bridle and towing pendant, if applicable; of chafing gear; and the winch brake, if installed.

(2107) (6) *Propulsion systems*. Visual inspection of the spaces for main propulsion machinery, of machinery, and of devices for monitoring machinery.

(2108) (b) The owner, master, or operator of each towing vessel of 1,600 GT or more shall ensure that the following tests of equipment occur at the frequency required by §164.25 and that the following inspections of gear occur before the vessel embarks on a voyage of more than 24 hours or when each new master or operator assumes command:

(2109) (1) *Navigational equipment*. Tests of onboard equipment as required by §164.25.

(2110) (2) *Terminal gear*. Visual inspection of tackle; of connections of bridle and towing pendant, if applicable; of chafing gear; and of the winch brake, if installed.

(2111) (c)(1) The voyage-planning requirements outlined in this section do not apply to you if your towing vessel is—

(2112) (i) Used solely for any of the following services or any combination of these services—

(2113) (A) Within a limited geographic area, such as fleeting-area for barges or a commercial facility, and used for restricted service, such as making up or breaking up larger tows;

(2114) (B) For harbor assist;

(2115) (C) For assistance towing as defined by 46 CFR 10.103;

(2116) (D) For response to emergency or pollution;

(2117) (ii) A public vessel that is both owned, or demise chartered, and operated by the United States Government or by a government of a foreign country; and that is not engaged in commercial service;

(2118) (iii) A foreign vessel engaged in innocent passage; or

(2119) (iv) Exempted by the Captain of the Port (COTP).

(2120) (2) If you think your towing vessel should be exempt from these voyage planning requirements for a specified route, you should submit a written request to the appropriate COTP. The COTP will provide you with a written response granting or denying your request.

(2121) (3) If any part of a towing vessel's intended voyage is seaward of the baseline (i.e. the shoreward boundary) of the territorial sea of the U.S.,then the owner, master, or operator of the vessel, employed to tow a barge or barges, must ensure that the voyage with the barge or barges is planned, taking into account all pertinent information before the vessel embarks on the voyage. The master must check the planned route for proximity to hazards before the voyage begins. During a voyage, if a decision is made to deviate substantially from the planned route, then the master or mate must plan the new route before deviating from the planned route. The voyage plan must follow company policy and consider the following (related requirements noted in parentheses):

(2122) (i) Applicable information from nautical charts and publication (also see paragraph (b) of section 164.72), including Coast Pilot, Coast Guard Light List, and Coast Guard Local Notice to Mariners for the port of departures, all ports of call, and the destination;

(2123) (ii) Current and forecast weather, including visibility, wind, and sea state for the port of departure, all ports of call, and the destination (also see paragraphs (a)(7) of section 164.78 and (b) of section 164.82);

(2124) (iii) Data on tides and currents for the port of departure, all ports of call, and the destination, and the river staged and forecast, if appropriate;

(2125) (iv) Forward and after drafts of the barge or barges and under-keel and vertical clearances (air-gaps) for all bridges, ports, and berthing areas;

(2126) (v) Pre-departure checklists;

(2127) (vi) Calculated speed and estimated time of arrival at proposed waypoints;

(2128) (vii) Communication contacts at any Vessel Traffic Services, bridges, and facilities, and any port specific requirements for VHF radio;

(2129) (viii) Any master's or operator's standings orders detailing closest points of approach, special conditions, and critical maneuvers; and

(2130) (ix) Whether the towing vessel has sufficient power to control the tow under all foreseeable circumstances.

(2131)

§164.82 Maintenance, failure, and reporting.

(2132) (a) *Maintenance*. The owner, master, or operator of each towing vessel shall maintain operative the navigational-safety equipment required by §164.72.

(2133) (b) *Failure*. If any of the navigational-safety equipment required by §164.72 fails during a voyage, the owner, master, or operator of the towing vessel shall exercise due diligence to repair it at the earliest

practicable time. He or she shall enter its failure in the log or other record carried on board. The failure of equipment, in itself, does not constitute a violation of this rule; nor does it constitute unseaworthiness; nor does it obligate an owner, master, or operator to moor or anchor the vessel. However, the owner, master, or operator shall consider the state of the equipment—along with such factors as weather, visibility, traffic, and the dictates of good seamanship—in deciding whether it is safe for the vessel to proceed.

(2134) (c) *Reporting*. The owner, master, or operator of each towing vessel whose equipment is inoperative or otherwise impaired while the vessel is operating within a Vessel Traffic Service (VTS) Area shall report the fact as required by 33 CFR 161.124. (33 CFR 161.124 requires that each user of a VTS report to the Vessel Traffic Center as soon as practicable:

(2135) (1) Any absence or malfunction of vessel-operating equipment for navigational safety, such as propulsion machinery, steering gear, radar, gyrocompass, echo depth-sounding or other sounding device, automatic dependent surveillance equipment, or navigational lighting;

(2136) (2) Any condition on board the vessel likely to impair navigation, such as shortage of personnel or lack of current nautical charts or maps, or publications; and

(2137) (3) Any characteristics of the vessel that affect or restrict the maneuverability of the vessel, such as arrangement of cargo, trim, loaded condition, under-keel clearance, and speed.)

(2138) (d) *Deviation and authorization*. The owner, master, or operator of each towing vessel unable to repair within 96 hours an inoperative marine radar required by §164.72(a) shall so notify the Captain of the Port (COTP) and shall seek from the COTP both a deviation from the requirements of this section and an authorization for continued operation in the area to be transited. Failure of redundant navigational-safety equipment, including but not limited to failure of one of two installed radars, where each satisfies §164.72(a), does not necessitate either a deviation or an authorization.

(2139) (1) The initial notice and request for a deviation and an authorization may be spoken, but the request must also be written. The written request must explain why immediate repair is impracticable, and state when and by whom the repair will be made.

(2140) (2) The COTP, upon receiving even a spoken request, may grant a deviation and an authorization from any of the provisions of §§164.70 through 164.82 for a specified time if he or she decides that they would not impair the safe navigation of the vessel under anticipated conditions.

(2141)

Part 165–RegulatedNavigation Areas and Limited Access Areas

(2142)

Subpart A–General

(2143)

§165.1 Purpose of part.

(2144) The purpose of this part is to:

(2145) (a) Prescribe procedures for establishing different types of limited or controlled access areas and regulated navigation areas;

(2146) (b) Prescribe general regulations for different types of limited or controlled access areas and regulated navigation areas;

(2147) (c) Prescribe specific requirements for established areas; and

(2148) (d) List specific areas and their boundaries.

(2149)

§165.3 Definitions.

(2150) The following definitions apply to this part:

(2151) *Credential* means any or all of the following:

(2152) (1) Merchant mariner's document.

(2153) (2) Merchant mariner's license.

(2154) (3) STCW endorsement.

(2155) (4) Certificate of registry.

(2156) (5) Merchant mariner credential.

(2157) *Merchant mariner credential or MMC* means the credential issued by the Coast Guard under 46 CFR part 10. It combines the individual merchant mariner's document, license, and certificate of registry enumerated in 46 U.S.C. subtitle II part E as well as the STCW endorsement into a single credential that serves as the mariner's qualification document, certificate of identification, and certificate of service.

(2158)

§165.5 Establishment procedures.

(2159) (a) A safety zone, security zone, or regulated navigation area may be established on the initiative of any authorized Coast Guard official.

(2160) (b) Any person may request that a safety zone, security zone, or regulated navigation area be established. Except as provided in paragraph (c) of this section, each request must be submitted in writing to either the Captain of the Port or District Commander having jurisdiction over the location as described in 33 CFR 3, and include the following:

(2161) (1) The name of the person submitting the request;

(2162) (2) The location and boundaries of the safety zone, security zone, or regulated navigation area;

(2163) (3) The date, time, and duration that the safety zone, security zone, or regulated navigation area should be established;

(2164) (4) A description of the activities planned for the safety zone, security zone, or regulated navigation area;

(2165) (5) The nature of the restrictions or conditions desired; and

(2166) (6) The reason why the safety zone, security zone, or regulated navigation area is necessary.

(2167) (c) Safety Zones and Security Zones. If, for good cause, the request for a safety zone or security zone is made less than 5 working days before the zone is to be established, the request may be made orally, but it must be followed by a written request within 24 hours.

(2168) (Requests for safety zones, security zones, and regulated navigation areas are approved by the Office of Management and Budget under control number 1625-0020)

(2169)

§165.7 Notification.

(2170) (a) The establishment of these limited access areas and regulated navigation areas is considered rulemaking. The procedures used to notify persons of the establishment of these areas vary depending upon the circumstances and emergency conditions. Notification may be made by marine broadcasts, local notice to mariners, local news media, distribution in leaflet form, and on-scene oral notice, as well as publication in the Federal Register.

(2171) (b) Notification normally contains the physical boundaries of the area, the reasons for the rule, its estimated duration, and the method of obtaining authorization to enter the area, if applicable, and special navigational rules, if applicable.

(2172) (c) Notification of the termination of the rule is usually made in the same form as the notification of its establishment.

(2173)

§165.8 Geographic coordinates.

(2174) Geographic coordinates expressed in terms of latitude or longitude, or both, are not intended for plotting on maps or charts whose referenced horizontal datum is the North American Datum of 1983 (NAD 83), unless such geographic coordinates are expressly labeled NAD 83. Geographic coordinates without the NAD 83 reference may be plotted on maps or charts referenced to NAD 83 only after application of the appropriate corrections that are published on the particular map or chart being used.

(2175)

§165.9 Geographic application of limited and controlled access areas and regulated navigation areas.

(2176) (a) *General*. The geographic application of the limited and controlled access areas and regulated navigation areas in this part are determined based on the statutory authority under which each is created.

(2177) (b) *Safety zones and regulated navigation areas*. These zones and areas are created under the authority of the Ports and Waterways Safety Act, 33 U.S.C. 1221-1232. Safety zones established under 33 U.S.C. 1226 and regulated navigation areas may be established in waters subject to the jurisdiction of the United States as defined in §2.38 of this chapter, including the territorial sea to a seaward limit of 12 nautical miles from the baseline.

(2178) (c) *Security zones*. These zones have two sources of authority—the Ports and Waterways Safety Act, 33 U.S.C. 1221-1232, and the Act of June 15, 1917, as amended by both the Magnuson Act of August 9, 1950 ("Magnuson Act"), 50 U.S.C. 191-195, and sec. 104 the Maritime Transportation Security Act of 2002 (Pub. L. 107-295, 116 Stat. 2064). Security zones established under either 33 U.S.C. 1226 or 50 U.S.C. 191 may be established in waters subject to the jurisdiction of the United States as defined in §2.38 of this chapter, including the territorial sea to a seaward limit of 12 nautical miles from the baseline.

(2179) (d) *Naval vessel protection zones*. These zones are issued under the authority of 14 U.S.C. 91 and 633 and may be established in waters subject to the jurisdiction of the United States as defined in §2.38 of this chapter, including the territorial sea to a seaward limit of 12 nautical miles from the baseline.

(2180)

Subpart B–Regulated Navigation Areas

(2181)

§165.10 Regulated navigation area.

(2182) A regulated navigation area is a water area within a defined boundary for which regulations for vessels navigating within the area have been established under this part.

(2183)

§165.11 Vessel operating requirements (regulations).

(2184) Each District Commander may control vessel traffic in an area which is determined to have hazardous conditions, by issuing regulations:

(2185) (a) Specifying times of vessel entry, movement, or departure to, from, within, or through ports, harbors, or other waters;

(2186) (b) Establishing vessel size, speed, draft limitations, and operating conditions; and

(2187) (c) Restricting vessel operation, in a hazardous area or under hazardous conditions, to vessels which have particular operating characteristics or capabilities which are considered necessary for safe operation under the circumstances.

(2188)

§165.13 General regulations.

(2189) (a) The master of a vessel in a regulated navigation area shall operate the vessel in accordance with the regulations contained in Subpart F.

(2190) (b) No person may cause or authorize the operation of a vessel in a regulated navigation area contrary to the regulations in this part.

(2191)

Subpart C–Safety Zones

(2192)

§165.20 Safety zones.

(2193) A Safety Zone is a water area, shore area, or water and shore area to which, for safety or environmental purposes, access is limited to authorized persons, vehicles, or vessels. It may be stationary and described by fixed limits or it may be described as a zone around a vessel in motion.

(2194)

§165.23 General regulations.

(2195) Unless otherwise provided in this part:

(2196) (a) No person may enter a safety zone unless authorized by the COTP or the District Commander;

(2197) (b) No person may bring or cause to be brought into a safety zone any vehicle, vessel, or object unless authorized by the COTP or the District Commander;

(2198) (c) No person may remain in a safety zone or allow any vehicle, vessel, or object to remain in a safety zone unless authorized by the COTP or the District Commander; and

(2199) (d) Each person in a safety zone who has notice of a lawful order or direction shall obey the order or direction of the COTP or District Commander issued to carry out the purposes of this subpart.

(2200)

Subpart D–Security Zones

(2201)

§165.30 Security zones.

(2202) (a) A security zone is an area of land, water, or land and water which is so designated by the Captain of the Port or District Commander for such time as is necessary to prevent damage or injury to any vessel or waterfront facility, to safeguard ports, harbors, territories, or waters of the United States or to secure the observance of the rights and obligations of the United States.

(2203) (b) The purpose of a security zone is to safeguard from destruction, loss, or injury from sabotage or other subversive acts, accidents, or other causes of a similar nature:

(2204) (1) Vessels,

(2205) (2) Harbors,

(2206) (3) Ports and

(2207) (4) Waterfront facilities in the United States and all territory and water, continental or insular, that is subject to the jurisdiction of the United States.

(2208)

§165.33 General regulations.

(2209) Unless otherwise provided in the special regulations in Subpart F of this part:

(2210) (a) No person or vessel may enter or remain in a security zone without the permission of the Captain of the Port;

(2211) (b) Each person and vessel in a security zone shall obey any direction or order of the Captain of the Port;

(2212) (c) The Captain of the Port may take possession and control of any vessel in the security zone;

(2213) (d) The Captain of the Port may remove any person, vessel, article, or thing from a security zone;

(2214) (e) No person may board, or take or place any article or thing on board, any vessel in a security zone without the permission of the Captain of the Port; and

(2215) (f) No person may take or place any article or thing upon any waterfront facility in a security zone without the permission of the Captain of the Port.

(2216)

Subpart E–Restricted Waterfront Areas

(2217)

§165.40 Restricted Waterfront Areas.

(2218) The Commandant, may direct the COTP to prevent access to waterfront facilities, and port and harbor areas, including vessels and harbor craft therein. This section may apply to persons who do not possess the credentials outlined in 33 CFR 125.09 when certain shipping activities are conducted that are outlined in 33 CFR 125.15.

(2219)

Subpart F–Specific Regulated Navigation Areas and Limited Access Areas

(2220)

§165.901 Great Lakes—regulated navigation areas and safety zones.

(2221) (a) The following are regulated navigation areas:

(2222) (1) Lake Huron.

(2223) (i) The waters of Lake Huron known as South Channel between Bois Blanc Island and Cheboygan, Michigan; bounded by a line north from Cheboygan Crib Light at

(2224) 45°39′48″N., 84°27′36″W.; to Bois Blanc Island at

(2225) 45°43′42″N., 84°27′36″W.; and a line north from the mainland at

(2226) 45°43′00″N., 84°35′30″W; to the western tangent of Bois Blanc Island at

(2227) 45°48′42″N., 84°35′30″W.

(2228) (ii) The waters of Lake Huron between Mackinac Island and St. Ignace, Michigan, bounded by a line east from position

(2229) 45°52′12″N., 84°43′00″W.; to Mackinac Island at

(2230) 45°52′12″N., 84°39′00″W.; and a line east from the mainland at

(2231) 45°53′12″N., 84°43′30″W.; to the northern tangent of Mackinac Island at

(2232) 45°53′12″N., 84°38′48″W.

(2233) (2) Lake Michigan.

(2234) (i) The waters of Lake Michigan known as Gray's Reef Passage bounded by a line from Gray's Reef Light at

(2235) 45°46′00″N., 85°09′12”W.; to White Shoals Light at

(2236) 45°50′30″N., 85°08′06”W.; to a point at

(2237) 45°49′12″N., 85°04′48″W.; then to a point at

(2238) 45°45′42″N., 85°08′42″W.; then to the point of beginning.

(2239) (ii) The waters of Lake Michigan known as Green Bay from Rock Island Passage or Porte Des Morts Passage north to Escanaba Light at

(2240) 45°44′48″N., 087°02′14″W.; south to the Fox River Entrance at

(2241) 44°32′22″N., 088°00′19″W., to the Sturgeon Bay Ship Canal from Sherwood Point Light at

(2242) 44°53′34″N., 087°26′00″W.; to Sturgeon Bay Ship Canal Light at

(2243) 44°47′42″N., 087°18′48″W.; and then to the point of beginning.

(2244) (b) Regulations:

(2245) (1) In the RNAs under paragraph (a) of this section, the District Commander or respective COTP may issue orders to control vessel traffic for reasons which include but are not limited to: Channel obstructions, winter navigation, unusual weather conditions, or unusual water levels. Prior to issuing these orders, the District Commander or respective COTP will provide advance notice as reasonably practicable under the circumstances. The respective COTP may close and open these regulated navigation areas as ice conditions dictate.

(2246) (2) Prior to the closing or opening of the regulated navigation areas, the COTP will give interested parties, including both shipping interests and island residents, not less than 72 hours notice of the action. This notice will be given through Broadcast Notice to Mariners, Local Notice to Mariners, and press releases to the media (radio, print and television), local COTP will ensure widest dissemination. No vessel may navigate in a regulated navigation area which has been closed by the COTP. The general regulations in 33 CFR 165.13 apply. The District Commander or respective COTP retains the discretion to authorize vessels to operate outside of issued orders.

(2247) (c) The following are safety zones:

(2248) (1) Lake Erie. The area known as the Lake Erie Islands which is defined as the U.S. waters of Lake Erie at the intersection of the International Border at 082°55′00″W., following the International Border eastward to the intersection of the International Border at 082°35′00″W., moving straight south to position 41°25′00″N., 082°35′00″W., continuing west to position 41°25′00″N., 082°55′00″W., and ending north at the International Border and 082°55′00″W.

(2249) (2) Lake Huron. The waters of Lake Huron known as Saginaw Bay, Michigan; bounded by a line from Port Austin Reef Light at 44°04′55″N., 082°58′57″W.; to Tawas Light at 44°15′13″N., 083°26′58″W.; to Saginaw Bay Range Front Light at 43°38′54″N., 083°51′06″W.; then to the point of beginning.

(2250) (d) Enforcement:

(2251) (1) The District Commander or respective Captain of the Port (COTP) will enforce these safety zones as ice conditions dictate. Under normal seasonal conditions, only one closing each winter and one opening each spring are anticipated.

(2252) (2) Prior to closing or opening these safety zones, the District Commander or respective COTP will give the public advance notice, not less than 72 hours prior to the closure. This notice will be given through Broadcast Notice to Mariners, Local Notice to Mariners, and press releases to the media (radio, print and television), and the local COTP will ensure widest dissemination. The general regulations in 33 CFR 165.23 apply. The District Commander or respective COTP retains the discretion to permit vessels to enter/transit a closed safety zone under certain circumstances.

(2253)

§165.902 Safety Zone; Lower Niagara River at Niagara Falls, New York.

(2254) (a) The following is a Safety Zone—The United States waters of the Niagara River from the crest of the American and Horseshoe Falls, Niagara Falls, New York to a line drawn across the Niagara River from the downstream side of the mouth of Gill Creek to the upstream end of the breakwater at the mouth of the Welland River.

(2255) (b) The following is a safety zone—The United States waters of the Lower Niagara River, Niagara Falls, NY from a straight line drawn from position 43°07′10.70″N., 79°04′02.32″W. (NAD 83) and 43°07′09.41″N., 79°04′05.41″W. (NAD 83) just south of the whirlpool rapids from the east side of the river to the international border of the United States, to a straight line drawn from position 43°06′34.01″N., 79°03′28.04″W. (NAD 83) and 43°06′33.52″N., 79°03′30.42″W. (NAD 83) at the International Railroad Bridge.

(2256)

§165.903 Safety zones: Cuyahoga River and Old River, Cleveland OH.

(2257) (a) *Location*. The waters of the Cuyahoga River and the Old River extending ten feet into the river at the following eleven locations, including the adjacent shorelines, are safety zones, coordinates for which are based on NAD 83.

(2258) (1) From the point where the shoreline intersects longitude 81°42'24.5"W., which is the southern side of the Norfolk and Southern railroad bridge, southeasterly along the shore for six hundred (600) feet to the point where the shoreline intersects longitude 81°42'24.5"W., which is the Holy Moses Water Taxi Landing at Fado's Restaurant.

(2259) (2) One hundred (100) feet downriver to one hundred (100) feet upriver from 41°29'53.5"N., 81°42'33.5"W., which is the knuckle on the north side of the Old River entrance at Ontario Stone.

(2260) (3) Fifty (50) feet downriver to fifty (50) feet upriver from 41°29'48.4"N., 81°42'44"W., which is the knuckle adjacent to the Ontario Stone warehouse on the south side of the Old River.

(2261) (4) From 41°29'51.1"N., 81°42'32.0"W., which is the corner of Christie's Cabaret pier at Sycamore Slip on the Old River, to fifty (50) feet east of 41°29'55.1"N., 81°42'27.6"W., which is the north point of the pier at Shooter's Restaurant on the Cuyahoga River.

(2262) (5) Twenty-five (25) feet downriver to twenty-five (25) feet upriver of 41°29'48.9"N., 81°42'10.7"W., which is the knuckle toward the downriver corner of the Nautica Stage.

(2263) (6) Ten (10) feet downriver to ten (10) feet upriver of 41°29'45.5"N., 81°42'9.7"W., which is the knuckle toward the upriver corner of the Nautica Stage.

(2264) (7) The fender on the west bank of the river at 41°29'45.2"N., 81°42'10"W., which is the knuckle at Bascule Bridge (railroad).

(2265) (8) The two hundred seventy (270) foot section on the east bank of the river between the Columbus Road bridge (41°29'18.8"N., 81°42'02.3"W.) downriver to the chain link fence at the upriver end of the Commodores Club Marina.

(2266) (9) Fifty (50) feet downriver of twenty-five (25) feet upriver from 41°29'24.5"N., 81°41'57.2"W., which is the knuckle at the Upriver Marine fuel pump.

(2267) (10) Seventy-five (75) feet downriver to seventy-five (75) feet upriver from 41°29'33.7"N., 81°41'57.5"W., which is the knuckle adjacent to the warehouse at Alpha Precast Products (United Ready Mix).

(2268) (11) Fifteen (15) feet downriver to fifteen (15) feet upriver from 41°29'41"N., 81°41'38.6"W., which is the end of the chain link fence between The Club Mega and Shippers C and D.

(2269) (b) *Regulations*—(1) General Rule. Except as provided below, entry of any kind or for any purpose into the foregoing zones is strictly prohibited in accordance with the general regulations in §165.23 of this part.

(2270) (2) *Exceptions*. Any vessel may transit, but not moor, stand or anchor in, the foregoing zones as necessary to comply with the Inland Navigation Rules or to otherwise facilitate safe navigation. Cargo vessels of 1600 gross tons (GT) or greater may moor in these zones when conducting cargo transfer operations.

(2271) (3) *Waivers*. Owners or operators of docks wishing a partial waiver of these regulations may apply to the Captain of the Port, Cleveland, Ohio. Partial waivers will only be considered to allow for the mooring of vessels in a safety zone when vessels of 1600 GT on greater are not navigating in the proximate area. Any requests for a waiver must include a plan to ensure immediate removal of any vessels moored in a safety zone upon the approach of a vessel(s) 1600 GTs or greater.

(2272)

§165.904 Lake Michigan at Chicago Harbor and Burnham Park Harbor—Safety and Security Zone.

(2273) (a) *Location*. All waters of Lake Michigan within Burnham Park Harbor shoreward of a line across the entrance of the harbor connecting coordinates 41°51'09"N., 087°36'36"W. and 41°51'11"N., 087°36'22"W.

(2274) (b) *Effective times and dates*. This safety and security zone will be in effect at various times to be published in the Coast Guard Local Notice to Mariners or broadcasted via Marine Radio VHF-FM Channels 16 and 22. These times will include the actual effective time and date and the termination time and date.

(2275) (c) *Restrictions*. (1) In accordance with the general regulations in section,165.23 and 165.33 of this part, entry into this zone is prohibited, unless authorized by the U.S. Coast Guard Captain of the Port, Lake Michigan, or the U.S. Secret Service. Other general requirements in **§§165.23 and 165.33** also apply. Further, no person may enter or remain in the shoreline areas of the established safety and security zone, unless cleared by a Coast Guard or U.S. Secret Service official.

(2276) (2) Vessels in Burnham Park Harbor at the commencement of the safety and security zone must be moored and remain moored while the safety and security zone is established, unless authorized to get underway by a Coast Guard or U.S. Secret Service official.

(2277) (3) No person may engage in swimming, snorkeling, or diving within the established safety and security zone, except with the permission of the Captain of the Port or U.S. Secret Service.

(2278)

§165.905 USX Superfund Site Safety Zones: St. Louis River.

(2279) (a) The following areas of the St. Louis River, within the designated boxes of latitude and longitude, are safety zones:

(2280) (1) *Safety Zone* #1 (*North Spirit Lake*):

(2281) North Boundary: 46°41'33"N.

(2282) South Boundary: 46°41'18"N.

(2283) East Boundary: 92°11'53"W.

(2284) West Boundary: 92°12'11"W.

(2285) (2) *Safety Zone* #2 (*South Spirit Lake*):

(2286) North Boundary: 46°40'45"N.

(2287) South Boundary: 46°40'33"N.

(2288) East Boundary: 92°11'40"W.

(2289) West Boundary: 92°12'05"W.

(2290) (b) Transit of vessels through the waters covered by these zones is prohibited. Swimming (including water skiing or other recreational use of the water which involves a substantial risk of immersion in the water) or taking of fish (including all forms of aquatic animals) from the waters covered by these safety zones is prohibited at all times.

(2291)

§165.910 Security Zones; Captain of the Port Lake Michigan.

(2292) (a) *Security Zones*. The following areas, defined by coordinates based upon North American Datum 1983, are security zones:

(2293) (1) *Jardine Water Filtration Plant*—(i) Location. All waters of Lake Michigan within the arc of a 100-yard radius with its center located on the north wall of

Jardine Water Filtration Plant, approximate position 41°53'46"N., 087°36'23"W.; (NAD 83).

(2294) (ii) Regulations. The Captain of the Port Lake Michigan will normally permit those U.S. Coast Guard certificated passenger vessels that normally load and unload passengers at Navy Pier to operate in the zone. However, should the Captain of the Port Lake Michigan determine it is appropriate, he will require even those U.S. Coast Guard certificated passenger vessels which normally load and unload passengers at Navy Pier to request permission before leaving or entering the security zones. The Captain of the Port Lake Michigan will notify these vessels via Broadcast Notice to Mariners if they must notify the Coast Guard before entering or transiting the security zone. As such, vessels that regularly operate within this zone are responsible for monitoring Broadcasts Notice to Mariners for the Chicago area. These broadcasts will be made by U.S. Coast Guard Sector Lake Michigan.

(2295) (2) *Dresden Nuclear Power Plant*. All waters of the Illinois River in the vicinity of Dresden Nuclear Power Plant encompassed by a line starting on the shoreline at 41°23'45"N., 88°16'18"W.; then east to the shoreline at 41°23'39"N., 88°16'09"W.; then following along the shoreline back to the beginning.

(2296) (3) *Donald C. Cook Nuclear Power Plant*. All waters of Lake Michigan around the Donald C. Cook Nuclear Power Plant encompassed by a line starting on the shoreline at

(2297) 41°58.656'N., 86°33.972'W.; then northwest to

(2298) 41°58.769'N., 86°34.525'W.; then southwest to

(2299) 41°58.589'N., 86°34.591'W.; then southeast to the shoreline at

(2300) 41°58.476'N., 86°34.038'W.; and following along the shoreline back to the beginning.

(2301) (4) *Palisades Nuclear Power Plant*. All waters of Lake Michigan around the Palisades Nuclear Power Plant within a line starting on the shoreline at

(2302) 42°19'07"N., 86°19'05"W.; then northwest to

(2303) 42°19'22"N., 86°19'54"W.; then north to

(2304) 42°19'44"N., 86°19'43"W.; then southeast back to the shoreline at

(2305) 42°19'31"N., 86°18'50"W.; then following along the shoreline back to the beginning.

(2306) (5) *Hammond Intake Crib*. All navigable waters bounded by the arc of a circle with a 100-yard radius with its center in approximate position 41°42'15"N., 87°29'49"W. (NAD 83).

(2307) (6) *Zion Nuclear Power Plant*. All waters of Lake Michigan encompassed by a line starting on the shoreline at

(2308) 42°26'36"N., 87°48'03"W.; then southeast to

(2309) 42°26'20"N., 87°47'35"W.; then northeast to

(2310) 42°26'53"N., 87°47'22"W.; then northwest to the shoreline at

(2311) 42°27'06"N., 87°48'00"W.; then following along the shoreline back to the beginning.

(2312) (7) *68th Street Water Intake Crib*. All waters of Lake Michigan within the arc of a circle with a 100-yard radius of the 68th Street Crib with its center in approximate position 41°47'10"N., 87°31'51"W.

(2313) (8) *Dever Water Intake Crib*. All waters of Lake Michigan within the arc of a circle with a 100-yard radius of the Dever Crib with its center in approximate position 41°54'55"N., 87°33'20"W.

(2314) (9) *79th Street Water Intake Crib*. All waters of Lake Michigan within the arc of a circle with a 100-yard radius of the 79th Street Water Filtration Plant with its center in the approximate position 41°45'30"N., 87°32'32"W.

(2315) (10) *Wilson Avenue Intake Crib*. All waters of Lake Michigan within the arc of a circle with a 100-yard radius of the Wilson Avenue Crib with its center in approximate position 41°58'00"N., 087°35'30"W. (NAD 83)

(2316) (11) *Four Mile Intake Crib*. All waters of Lake Michigan within the arc of a circle with a 100-yard radius of the Four Mile Crib with its center in approximate positio n 41°52'40"N., 087°32'45"W. (NAD 83)

(2317) (b) *Regulations*. (1) Under §165.33, entry into these zones is prohibited unless authorized by the Coast Guard Captain of the Port Lake Michigan. Section 165.33 also contains other general requirements.

(2318) (2) All persons and vessels shall comply with the instruction of the Captain of the Port Lake Michigan or the designated on-scene U.S. Coast Guard patrol personnel. On-scene patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard on board Coast Guard, Coast Guard Auxiliary, local, state, and federal law enforcement vessels. Emergency response vessels are authorized to move within the zone but must abide by the restrictions imposed by the Captain of the Port.

(2319) (3) Persons who would like to transit through a security zone in this section must contact the Captain of the Port Lake Michigan at telephone number 414–747–7182 or on VHF channel 16 (156.8 MHz) to seek permission to transit the area. If permission is granted, all persons and vessels shall comply with the instructions of the Captain of Port Lake Michigan or his or her designated representative.

(2320) (c) *Authority*. In addition to 33 U.S.C. 1231 and 50 U.S.C. 191, the authority for this section includes 33 U.S.C. 1226.

(2321)

§165.911 Security Zones; Captain of the Port Buffalo Zone.

(2322) (a) *Location*. The following are security zones:

(2323) (1) *Nine Mile Point and Fitzpatrick Nuclear Power Plants*. The navigable waters of Lake Ontario bounded by the following coordinates: commencing at

(2324) 43°30.8'N., 76°25.7'W.; then north to

(2325) 43°31.2'N., 76°25.7'W.; then east-northeast to

(2326) 43°31.6'N., 76°24.9'W.; then east to

(2327) 43°31.8'N., 76°23.2'W.; then south to

(2328) 43°31.5'N., 76°23.2'W.; and then following the shoreline back to the point of origin (NAD 83).

(2329) (2) *Ginna Nuclear Power Plant*. The waters of Lake Ontario bounded by the following area, starting at

(2330) 43°16.9'N., 77°18.9'W.; then north to

(2331) 43°17.3'N., 77°18.9'W.; then east to

(2332) 43°17.3'N., 77°18.3'W.; then south to

(2333) 43°16.7'N., 77°18.3'W.; then following the shoreline back to starting point (NAD 83).

(2334) (3) *Moses-Saunders Power Dam*. The waters of the St. Lawrence River bounded by the following area, starting at

(2335) 45°00.73'N., 74°47.85'W.; southeast following the international border to

(2336) 45°00.25'N., 74°47.56'W.; then southwest to

(2337) 45°00.16'N., 74°47.76'W.; then east to the shoreline at

(2338) 45°00.16'N., 74°47.93'W.; then northwest to

(2339) 45°00.36'N., 74°48.16'W.; then northeast back to the starting point (NAD 83).

(2340) (4) *Long Sault Spillway Dam*. The waters of the St. Lawrence River bounded by the following area, starting at

(2341) 44°59.5'N., 74°52.0'W.; north to

(2342) 45°00.0'N., 74°52.0'W.; east to

(2343) 45°00.0'N., 74°51.6'W.; then south to

(2344) 44°59.5'N., 74°51.6'W.; then west back to the starting point (NAD 83).

(2345) (b) *Regulations*. (1) In accordance with §165.33, entry into this zone is prohibited unless authorized by the Coast Guard Captain of the Port Buffalo.

(2346) (2) Persons or vessels desiring to transit the area of the Nine Mile Point and Fitzpatrick Nuclear Power Plants or Ginna Nuclear Power Plant security zones must contact the Captain of Port Buffalo at telephone number 716–843–9570, or on VHF/FM channel 16 to seek permission to transit the area. Persons desiring to transit the area of Moses-Saunders Power Dam or Long Sault Spillway Dam security zones must contact the Supervisor, Marine Safety Detachment Massena at telephone number 315–769–5483, or on VHF/FM channel 16 to seek permission to transit the area. If permission is granted, all persons and vessels shall comply with the instructions of the Captain of the Port or his or her designated representative.

(2347) (c) *Authority*. In addition to 33 U.S.C. 1231 and 50 U.S.C. 191, the authority for this section includes 33 U.S.C. 1226.

(2348)

§165.912 Security Zone; Lake Erie, Perry, OH.

(2349) (a) *Location*: The following area is a security zone: all navigable waters of Lake Erie bounded by a line drawn between the following coordinates beginning at 41° 48.187'N, 081° 08.818'W; then due north to 41° 48.7'N, 081° 08.818'W; then due east to 41° 48.7'N, 081° 08.455'W; then due south to the south shore of Lake Erie at 41° 48.231'N, 081° 08.455'W; thence westerly following the shoreline back to the beginning (NAD 83).

(2350) (b) *Regulations*. In accordance with the general regulations in §165.33 of this part, entry into this zone is prohibited unless authorized by the Coast Guard Captain of the Port Cleveland, or the designated on-scene representative.

(2351) (c) *Authority*. In addition to 33 U.S.C. 1231 and 50 U.S.C. 191, the authority for this section includes 33 U.S.C. 1226.

(2352)

§165.915 Security zones; Captain of the Port Detroit.

(2353) (a) *Security zones*. The following areas are security zones:

(2354) (1) *Enrico Fermi 2 Nuclear Power Station*. All waters and adjacent shoreline encompassed by a line commencing at

(2355) 41°58.4'N., 083°15.4'W.; then northeast to

(2356) 41°58.5'N., 083°15.0'W.; then southeast to

(2357) 41°58.2'N., 083°13.7'W.; then south to

(2358) 41°56.9'N., 083°13.8'W.; then west to

(2359) 41°56.9'N., 083°15.2'W.; then back to the starting point at

(2360) 41°58.4'N., 083°15.4'W. (NAD 83).

(2361) (2) *Davis Besse Nuclear Power Station*. All waters and adjacent shoreline encompassed by a line commencing at

(2362) 41°36.1'N., 083°04.7'W.; north to

(2363) 41°37.0'N., 083°03.9'W.; east to

(2364) 41°35.9'N., 083°02.5'W.; southwest to

(2365) 41°35.4'N., 083°03.7'W.; then back to the starting point

(2366) 41°36.1'N., 083°04.7'W (NAD 83).

(2367) (b) *Regulations*. (1) In accordance with §165.33, entry into this zone is prohibited unless authorized by the Coast Guard Captain of the Detroit Section 165.33 also contains other general requirements.

(2368) (2) Persons desiring to transit through either of these security zones, prior to transiting, must contact the Captain of the Port Detroit at telephone number (419) 418–6050, or on VHF/FM channel 16 and request permission. If permission is granted, all persons and vessels shall comply with the instructions of the Captain of the Port or his or her designated representative.

(2369) (c) *Authority*. In addition to 33 U.S.C. 1231 and 50 U.S.C. 191, the authority for this section includes 33 U.S.C. 1226.

(2370)

§165.916 Security Zones; Captain of the Port Milwaukee Zone, Lake Michigan.

(2371) (a) *Location*. The following are security zones:

(2372) (1) *Kewaunee Nuclear Power Plant*. All navigable waters of Western Lake Michigan encompassed by a line commencing from a point on the shoreline at

(2373) 44°20.715'N., 087°32.080'W., then easterly to

(2374) 44°20.720'N., 087°31.630'W., then southerly to

(2375) 44°20.480'N., 087°31.630'W., then westerly to

(2376) 44°20.480'N., 087°31.970'W., then northerly following the shoreline back to the point of origin (NAD 83).

(2377) (2) *Point Beach*. All navigable waters of Western Lake Michigan encompassed by a line commencing from a point on the shoreline at

(2378) 44°17.06'N., 087°32.15'W., then northeasterly to

(2379) 44°17.12'N., 087°31.59'W., then southeasterly to

(2380) 44°16.48'N., 087°31.42'W., then southwesterly to

(2381) 44°16.42'N., 087°32.02'W., then northwesterly along the shoreline back to the point of origin. All coordinates are based upon North American Datum 1983.

(2382) (b) *Regulations*. (1) In accordance with §165.33, entry into this zone is prohibited unless authorized by the Coast Guard Captain of the Port Milwaukee. Section 165.33 also contains other general requirements.

(2383) (2) Persons desiring to transit the area of the security zone may contact the Captain of the Port at telephone number 414–747–7155 or on VHF-FM Channel 16 to seek permission to transit the area. If permission is granted, all persons and vessels shall comply with the instructions of the Captain of the Port or his or her designated representative.

(2384) (c) *Authority*. In addition to 33 U.S.C. 1231 and 50 U.S.C. 191, the authority for this section includes 33 U.S.C. 1226.

(2385)

§165.920 Regulated Navigation Area: USCG Station Port Huron, MI, Lake Huron.

(2386) (a) *Location*. All waters of Lake Huron encompassed by the following: starting at the northwest corner at

(2387) 43°00.4'N., 082°25.327'W.; then east to

(2388) 43°00.4'N., 082°25.238'W.; then south to

(2389) 43°00.3'N., 082°25.238'W.; then west to

(2390) 43°00.3'N., 082°25.327'W.; then following the shoreline north back to the point of origin (NAD 83).

(2391) (b) *Special regulations*. No vessel may fish, anchor, or moor within the RNA without obtaining the approval of the Captain of the Port (COTP) Detroit. Vessels need not request permission from COTP Detroit if only transiting through the RNA. COTP Detroit can be reached by telephone at 313–568–9560, or by writing to: Sector Detroit, 110 Mt. Elliot Ave., Detroit, MI 48207-4380.

(2392)

§165.921 Regulated Navigation Area; Reporting Requirements for Barges Loaded with Certain Dangerous Cargoes, Illinois Waterway System located within the Ninth Coast Guard District.

(2393) (a) *Regulated Navigation Area*. The following waters are a regulated navigation area (RNA): the Illinois Waterway System above mile 187.2 to the Chicago Lock on the Chicago River at mile 326.7 and to the confluence of the Calumet River and Lake Michigan at mile 333.5 of the Calumet River.

(2394) (b) *Enforcement and applicability*. (1) Beginning January 1, 2016, reporting requirements under this RNA will be enforced only when directed by the District Commander or designated representative under paragraphs (d)(1)(ix), (d)(2)(iv), (f)(9), and (g)(4) of this section. Reporting points as listed in paragraph (e) of this section may be used to determine and inform where reporting is required. Compliance under other parts of this section is stayed until a future date published in the **Federal Register**, if determined necessary.

(2395) (2) This section applies to towing vessel operators and fleeting area managers responsible for CDC barges in the RNA. This section does not apply to:

(2396) (i) Towing vessel operators responsible for barges not carrying CDC barges, or

(2397) (ii) Fleet tow boats moving one or more CDC barges within a fleeting area.

(2398) (c) *Definitions*. As used in this section—

(2399) *Barge* means a non-self propelled vessel engaged in commerce, as set out in 33 CFR 160.202.

(2400) *Certain Dangerous Cargo* or *(CDC)* includes any of the following:

(2401) (1) Division 1.1 or 1.2 explosives as defined in 49 CFR 173.50.

(2402) (2) Division 1.5D blasting agents for which a permit is required under 49 CFR 176.415 or, for which a permit is required as a condition of a Research and Special Programs Administration exemption.

(2403) (3) Division 2.3 "poisonous gas", as listed in 49 CFR 172.101 that is also a "material poisonous by inhalation" as defined in 49 CFR 171.8, and that is in a quantity in excess of 1 metric ton per barge.

(2404) (4) Division 5.1 oxidizing materials for which a permit is required under 49 CFR 176.415 or, for which a permit is required as a condition of a Research and Special Programs Administration exemption.

(2405) (5) A liquid material that has a primary or subsidiary classification of Division 6.1 "poisonous material" as listed in 49 CFR 172.101 that is also a "material poisonous by inhalation", as defined in 49 CFR 171.8 and that is in a bulk packaging, or that is in a quantity in excess of 20 metric tons per barge when not in a bulk packaging.

(2406) (6) Class 7, "highway route controlled quantity" radioactive material or "fissile material, controlled shipment", as defined in 49 CFR 173.403.

(2407) (7) Bulk liquefied chlorine gas and bulk liquefied gas cargo that is flammable and/or toxic and carried under 46 CFR 154.7.

(2408) (8) The following bulk liquids—

(2409) (i) Acetone cyanohydrin,

(2410) (ii) Allyl alcohol,

(2411) (iii) Chlorosulfonic acid,

(2412) (iv) Crotonaldehyde,

(2413) (v) Ethylene chlorohydrin,

(2414) (vi) Ethylene dibromide,

(2415) (vii) Methacrylonitrile,

(2416) (viii) Oleum (fuming sulfuric acid), and

(2417) (ix) Propylene Oxide.

(2418) *CDC barge* means a barge containing CDCs or CDC residue.

(2419) *Downbound* means the tow is traveling with the current.

(2460)

TABLE 165.921(f) – INFORMATION TO BE REPORTED TO THE D9 CDCRU BY TOWING OPERATORS

	24-hour contact number	Name of vessel moving barge(s)	Barge(s) name and official number	Type, name and amount of CDC onboard	Estimated time of departure from fleeting area or facility	Name and location of destination of CDC barge (fleeting area or facility), including estimated time of arrival	Reporting point	Estimated time of arrival (ETA) to next reporting point (if applicable)
(1) Upon point of entry into the RNA with a CDC barge	X	X	X	X		X	X	X
(2) 4 hours before originating a voyage within the RNA with one or more CDC barges; but see exception in paragraph (d)(1)(ii) of this section	X	X	X	X	X	X		X
(3) Upon dropping off one or more CDC barges at a fleeting area or facility		X	X					
(4) Upon picking up one or more additional CDC barges from a fleeting area or facility		X	X	X				
(5) At designated reporting points in 165.921(e)		X	X	(1)		(1)	X	X
(6) When ETA to a reporting point varies by 6 hours from previously reported ETA		X	(1)	(1)				X
(7) Any significant deviation from previously reported information (all that apply)	X	X	X	X	X	X	X	X
(8) Upon departing the RNA with a CDC barge(s)		X	X				X	
(9) When directed by the District Commander or designated representative	X	X	X	X	X	X	X	X

[1]If changed

(2420) *Fleet tow boat* means any size vessel that is used to move, transport, or deliver a CDC barge within a fleeting area.

(2421) *Fleeting area* means any fleet, including any facility, located within the area covered by one single port.

(2422) *Ninth District CDC Reporting Unit or (D9 CDCRU)* means the Coast Guard office that is responsible for collecting the information required by this section.

(2423) *Ninth Coast Guard District* means the Coast Guard District as set out in 33 CFR 3.45–1.

(2424) *Towing vessel* means any size vessel that is used to move, transport, or deliver a CDC barge to a fleet or facility that is located in a different port than where the voyage originated.

(2425) *Towing vessel operator* means the Captain or pilot who is on watch on board a towing vessel.

(2426) *Upbound* means the tow is traveling against the current.

(2427) (d) *Regulations*. The following must report to the Ninth District CDC Reporting Unit Eighth District (D9 CDCRU):

(2428) (1) The towing vessel operator responsible for one or more CDC barges in the RNA must report all the information items specified in table 165.921(f), in paragraph (f) of this section, to the D9 CDCRU:

(2429) (i) Upon point of entry into the RNA with one or more CDC barges;

(2430) (ii) Four hours before originating a voyage within the RNA with one or more CDC barges, except if the evolution of making up a tow with a CDC barge will take less than 4 hours before originating a voyage, and the towing vessel operator did not receive the order to make up a tow with a CDC barge in advance of 4 hours before originating the voyage with one or more CDC barges, in which case the towing vessel operator shall submit the required report to the D9 CDCRU as soon as possible after receiving orders to make up a tow with one or more CDC barges;

(2431) (iii) Upon dropping off one or more CDC barges at a fleeting area or facility;

(2432) (iv) Upon picking up one or more additional CDC barges from a fleeting area or facility;

(2433) (v) At designated reporting points, set forth in paragraph of this section;

(2434) (vi) When the estimated time of arrival (ETA) to a reporting point varies by 6 hours from the previously reported ETA;

(2435) (vii) Any significant deviation from previously reported information;

(2436) (viii) Upon departing the RNA with one or more CDC barges; and

(2437) (ix) When directed by the District Commander or designated representative.

(2438) (2) The fleeting area manager responsible for one or more CDC barges in the RNA must report all the information items specified in table 165.921(g), in paragraph (g) of this section, to the D9 CDCRU:

(2439) (i) Once daily, report all CDC barges within the fleeting area;

(2462)

TABLE 165.921(g) – INFORMATION TO BE REPORTED TO THE D9 CDCRU BY FLEETING AREA MANAGERS

	24-hour contact number	Barge(s) name and official number	Type, name and amount of CDC onboard	Location of CDC barge (fleeting area or facility)
(1) Once daily, all CDC barges in a fleeting area	X	X	X	X
(2) Upon moving one or more CDC barges within a fleeting area by a fleet tow boat		X	X	X
(3) Any significant deviation from previously reported information (all that apply)	X	X	X	X
(4) When directed by the District Commander or designated representative	X	X	X	X

(2440) (ii) Upon moving one or more CDC barges within a fleeting area by a fleet tow boat;

(2441) (iii) Any significant deviation from previously reported information; and

(2442) (iv) When directed by the District Commander or designated representative.

(2443) (3) Reports required by this section may be made by a company representative or dispatcher on behalf of the fleeting area manager.

(2444) (4) When required, reports under this section must be made either by email at *d09-smb-cdcru@uscg.mil* or via phone or fax as provided in the notification as directed by the District Commander or designated representative through the D9 CDCRU. Notification of when and where reporting is required may be made through Marine Safety Information Bulletins, Notices of Enforcement, email and/or through industry outreach. At all other times, reporting under this section is not required and communications should be directed to the Captain of the Port.

(2445) (5) The general regulations contained in 33 CFR 165.13 apply to this section.

(2446) (e) *Ninth Coast Guard District Illinois Waterway System RNA Reporting points*. Towing vessel operators responsible for one or more CDC barges in the RNA must make reports to D9 CDCRU at each point listed in this paragraph (e).

(2447) (1) Illinois River (ILR) Upbound, at Mile Markers (M) and when Departing Lock & Dam (L&D)—

(2448) (i) M 187.2 (Southern Boundary MSU Chicago AOR),

(2449) (ii) M 303.5 Junction of Chicago Sanitary Ship Canal and Calumet-Sag Channel,

(2450) (iii) M 326.4 Thomas S. O'Brien L&D, Calumet River,

(2451) (iv) M 333.5 Confluence of Calumet River and Lake Michigan, and

(2452) (v) M 326.7 Chicago L&D, Chicago River.

(2453) (2) Illinois River (ILR) Downbound Reporting Points, at Mile Markers (M) and when Departing Lock & Dam (L&D)—

(2454) (i) M 326.7 Chicago L&D, Chicago River,

(2455) (ii) M 333.5 Confluence of Calumet River and Lake Michigan,

(2456) (iii) M 326.4 Thomas S. O'Brien L&D, Calumet River,

(2457) (iv) M 303.5 Junction of Chicago Sanitary Ship Canal and Calumet-Sag Channel, and

(2458) (v) M 187.2 (Southern Boundary MSU Chicago AOR).

(2459) (f) *Information to be reported to the D9 CDCRU by towing vessel operators*. With the exception noted in paragraph (d)(1)(ii) of this section, towing vessel operators responsible for one or more CDC barges in the RNA must report all the information required by this section as set out in table 165.921(f) of this paragraph.

(2461) (g) *Information to be reported to the D9 CDCRU by fleeting area managers*. Fleeting area managers responsible for one or more CDC barges in the RNA must report the information required by this section as set out in table 165.921(g) to this paragraph.

(2463) (h) *Alternative reporting*. The Ninth Coast Guard District Commander may consider and approve alternative methods to be used by a reporting party to meet any reporting requirements if—

(2464) (1) The request is submitted in writing to Commander, Ninth Coast Guard District (m), 1240 E. Ninth Street, Cleveland, Ohio, 44199–2060; and

(2465) (2) The alternative provides an equivalent level of the reporting that which would be achieved by the Coast Guard with the required check-in points.

(2466) (i) Deviation from this section is prohibited unless specifically authorized by the Commander, Ninth Coast Guard District or the designated representative.

(2466.001)

§ 165.923 Regulated Navigation Area, Chicago Sanitary and Ship Canal, Romeoville, IL.

(2466.002) (a) *Regulated navigation area and regulations*. (1) The following is a regulated navigation area (RNA): All waters of the Chicago Sanitary and Ship Canal, Romeoville, IL located between mile marker 295.5 and mile marker 297.2.

(2466.003) (2)(i) The general regulations contained in § 165.13 apply.

(2466.004) (ii) Vessels that comply with the following restrictions are permitted to transit the RNA:

(2466.005) (A) Vessels must be greater than 20 feet in length.

(2466.006) (B) Vessels must not be a personal or human powered watercraft (i.e., jet skis, waver runners, kayaks, row boats, etc.).

(2466.007) (C) Vessels engaged in commercial service, as defined in 46 U.S.C. 2101(5), may not pass (meet or overtake) in the RNA and must make a SECURITE´ call when approaching the RNA to announce intentions and work out passing arrangements.

(2466.008) (D) Commercial tows transiting the RNA must use wire rope or appropriate alternatives to ensure electrical connectivity between all segments of the tow.

(2466.009) (E) All vessels are prohibited from loitering in the RNA.

(2466.010) (F) Vessels may enter the RNA for the sole purpose of transiting to the other side and must maintain headway throughout the transit. All vessels and persons are prohibited from dredging, laying cable, dragging, fishing, conducting salvage operations, or any other activity, which could disturb the bottom of the RNA.

(2466.011) (G) Except for law enforcement and emergency response personnel, all personnel on vessels transiting the RNA should remain inside the cabin, or as inboard as practicable. If personnel must be on open decks, they must wear a Coast Guard approved personal flotation device.

(2466.012) (H) Vessels may not moor or lay up on the right or left descending banks of the RNA.

(2466.013) (I) Towboats may not make or break tows if any portion of the towboat or tow is located in the RNA.

(2466.014) (J) Persons onboard any vessel transiting the RNA in accordance with this rule or otherwise are advised they do so at their own risk.

(2466.015) (K) All vessels transiting the RNA are required to transit at a no wake speed but still maintain bare steerageway.

(2466.016) (L)(*1*) All vessels are prohibited from transiting the restricted navigation area with any non-potable water on board if they intend to release that water in any form within, or on the other side of the restricted navigation area. Non-potable water includes, but is not limited to, any water taken on board to control or maintain trim, draft, stability, or stresses of the vessel. Likewise, it includes any water taken on board due to free communication between the hull of the vessel and exterior water. Potable water is water treated and stored aboard the vessel that is suitable for human consumption.

(2466.017) (*2*) Vessels with non-potable water on board are permitted to transit the restricted navigation area if they have taken steps to prevent the release, in any form, of that water in or on the other side of the restricted navigation area. Alternatively, vessels with non-potable water on board are permitted to transit the restricted navigation area if they have plans to dispose of the water in a biologically sound manner.

(2466.018) (*3*) Vessels with non-potable water aboard that intend to discharge on the other side of the restricted navigation area must contact the Coast Guard's Ninth District Commander or his or her designated representatives prior to transit and obtain permission to transit and discharge. Examples of discharges that may be approved include plans to dispose of the water in a biologically sound manner or demonstrate through testing that the non-potable water does not contain potential live Silver or Asian carp, viable eggs, or gametes.

(2466.019) (*4*) In accordance with the general regulations in § 165.23, entry into, transiting, or anchoring within this safety zone by vessels with non-potable water on board is prohibited unless authorized by the Coast Guard's Ninth District Commander, his or her designated representatives, or an onscene representative.

(2466.020) (*5*) The Captain of the Port, Lake Michigan, may further designate an ''onscene'' representative. The Captain of the Port, Lake Michigan, or the on-scene representative may be contacted via VHF–FM radio Channel 16 or through the Coast Guard Lake Michigan Command Center at (414) 747–7182.

(2466.021) (b) *Definitions*. The following definitions apply to this section: Designated representative means the Captain of the Port Lake Michigan and Commanding Officer, Marine Safety Unit Chicago.

(2466.022) *On-scene representative* means any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port, Lake Michigan, to act on his or her behalf. The on-scene representative of the Captain of the Port, Lake Michigan, will be aboard a Coast Guard, Coast Guard Auxiliary, or other designated vessel or will be onshore and will communicate with vessels via VHF–FM radio or loudhailer.

(2466.023) *Vessel* means every description of watercraft of other artificial contrivance used, or capable or being used, as a means of transportation on water. This definition includes, but is not limited to, barges.

(2466.024) (c) *Compliance*. All persons and vessels must comply with this section and any additional instructions or orders of the Coast Guard's Ninth District Commander or his or her designated representatives. Any person on board any vessel transiting this RNA in accordance with this rule or otherwise does so at his or her own risk.

(2466.025) (d) *Waiver. F*or any vessel, the Coast Guard's Ninth District Commander or his or her designated representatives may waive any of the requirements of this section, upon finding that operational conditions or other circumstances are such that application of this section is unnecessary or impractical for the purposes of vessel and mariner safety.

(2467)

§165.927 Safety Zone; St. Louis River, Duluth/Interlake Tar Remediation Site, Duluth, MN.

(2468) (a) *Location*: The following area is a safety zone: All waters of Stryker Bay and Hallett Slips 6 and 7 which

are located north of a boundary line delineated by the following points: From the shoreline at

(2469) 46°43'10.00"N., 092°10'31.66"W, then south to

(2470) 46°43'06.24"N., 092°10'31.66"W, then east to

(2471) 46°43'06.24"N., 092°09'41.76"W, then north to the shoreline at

(2472) 46°43'10.04"N., 092°09'41.76"W. [Datum NAD 83].

(2473) (b) *Regulations*. (1) In accordance with the general regulations in §165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Duluth, or his designated on-scene representative.

(2474) (2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port Duluth or his designated on-scene representative.

(2475) (3) The "designated on-scene representative" of the Captain of the Port is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port to act on his behalf. The on-scene representative of the Captain of the Port will be aboard either a Coast Guard or Coast Guard Auxiliary vessel. The Captain of the Port or his designated on-scene representative may be contacted by calling Coast Guard Marine Safety Unit Duluth at (218) 720–5286.

(2476) (4) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port Duluth to obtain permission to do so. Vessel operators given permission to enter or operate in the safety zone shall comply with all directions given to them by the Captain of the Port Duluth or his on-scene representative.

(2477)

§165.930 Safety Zone, Brandon Road Lock and Dam to Lake Michigan including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, and Calumet-Saganashkee Channel, Chicago, IL.

(2478) (a) *Location*. The safety zone consists of the following areas:

(2479) (1) *Des Plaines River*. All U.S. waters of the Des Plaines River located between mile marker 286.0 (Brandon Road Lock and Dam) and mile marker 290.0 (point at which the Des Plaines River connects with the Chicago Sanitary and Ship Canal).

(2480) (2) *Chicago Sanitary and Ship Canal*. All U.S. waters of the Chicago Sanitary and Ship Canal between mile marker 290.0 (point at which the Chicago Sanitary and Ship Canal connects to the Des Plaines River) and mile marker 321.8 (point at which the Chicago Sanitary and Ship Canal Connects to the South Branch Chicago River).

(2481) (3) *South Branch Chicago River*. All U.S. waters of the South Branch Chicago River between mile marker 321.8 (point at which the South Branch Chicago River connects to the Chicago Sanitary and Ship Canal) and mile marker 325.6 (point at which the South Branch Chicago River connects to the Chicago River (Main Branch) and North Branch Chicago River).

(2482) (4) *Chicago River (Main Branch)*. All U.S. waters of the Chicago River (Main Branch) between mile marker 325.6 (point at which the Chicago River connects to the South Branch Chicago River) and 100 yards extending past the end of the Chicago River covering the area of the Federal channel within Chicago Harbor.

(2483) (5) *North Branch Chicago River*. All U.S. waters of the North Branch Chicago River between mile marker 325.6 (point at which the North Branch Chicago River connects to the Chicago River (Main Branch) and the South Branch Chicago River) and mile marker 331.4 (end of navigation channel).

(2484) (6) *Calumet-Saganashkee Channel*. All U.S. waters of the Calumet-Saganashkee Channel between mile marker 303.5 (point at which the Calumet-Saganashkee Channel connects to the Chicago Sanitary and Ship Canal) and mile marker 333.0; all U.S. waters of the Calumet-Saganashkee Channel between mile marker 333.0 and Lake Michigan (Calumet Harbor).

(2485) (b) *Effective Period*. This rule is effective July 18, 2011.

(2486) (c) *Enforcement*. (1) The Captain of the Port, Sector Lake Michigan, may enforce this safety zone in whole, in segments, or by any combination of segments. The Captain of the Port, Sector Lake Michigan, may suspend the enforcement of any segment of this safety zone for which notice of enforcement had been given.

(2487) (2) The safety zone established by this section will be enforced, pursuant to paragraph (c)(1) of this section, only upon notice by the Captain of the Port, Sector Lake Michigan. Suspension of any previously announced period of enforcement will also be provided by the Captain of the Port, Sector Lake Michigan. All notices of enforcement and notices of suspension of enforcement will clearly describe any segments of the safety zone affected by the notice. At a minimum, notices of enforcement and notices of suspension of enforcement will identify any affected segments by reference to mile markers. When possible, the Captain of the Port, Sector Lake Michigan, will also identify enforced segments of this safety zone by referencing readily identifiable geographical points. In addition to providing the geographical bounds of any enforced segment of this safety zone, notices of enforcement will also provide the date(s) and time(s) at which enforcement will commence or suspend.

(2488) (3) The Captain of the Port, Sector Lake Michigan, will publish notices of enforcement and notices of suspension of enforcement in accordance with 33 CFR 165.7(a) and in a manner that provides as much notice to the public as possible. The primary method of notification will be through publication in the **Federal Register**. The Captain of the Port, Sector Lake Michigan, will also provide notice through other means, such as Broadcast Notice to Mariners, local Notice to Mariners, local news media, distribution in leaflet form, and on-scene oral notice. Additionally, the Captain of the Port, Sector Lake Michigan, may notify representatives from the maritime industry through telephonic and email notifications.

(2489) (d) *Regulations*. (1) In accordance with the general regulations in § 165.23 of this part, entry into, transiting, mooring, laying up, or anchoring within any enforced segment of the safety zone is prohibited unless authorized by the Captain of the Port, Sector Lake Michigan, or his or her designated representative.

(2490) (2) The "designated representative" of the Captain of the Port, Sector Lake Michigan, is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port, Sector Lake Michigan, to act on his or her behalf. The designated representative of the Captain of the Port, Sector Lake Michigan, will be aboard a Coast Guard, Coast Guard Auxiliary, or other designated vessel or will be on shore and will communicate with vessels via VHF radio, loudhailer, or by phone. The Captain of the Port, Sector Lake Michigan, or his or her designated representative may be contacted via VHF radio Channel 16 or the Coast Guard Sector Lake Michigan Command Center at 414–747–7182.

(2491) (3) To obtain permission to enter or operate within an enforced segment of the safety zone established by this section, Vessel operators must contact the Captain of the Port, Sector Lake Michigan, or his or her designated representative. Vessel operators given permission to operate in an enforced segment of the safety zone must comply with all directions given to them by the Captain of the Port, Sector Lake Michigan, or his or her designated representative.

(2492) (4) When a segment of the safety zone is being enforced, it will be closed to all vessel traffic, except as may be permitted by the Captain of the Port, Sector Lake Michigan, or his or her designated representative. As soon as operations permit, the Captain of the Port, Sector Lake Michigan, will issue a notice of suspension of enforcement as specified in paragraph (c) of this section.

(2493) (5) All persons entering any enforced segment of the safety zone established in this section are advised that they do so at their own risk.

(2494)

§165.931 Safety Zone; Chicago Harbor, Navy Pier Southeast, Chicago, IL.

(2495) (a) *Location*. The following area is a safety zone: The waters of Lake Michigan within Chicago Harbor bounded by coordinates beginning at

(2496) 41°53'26.5"N, 087°35'26.5"W; then south to

(2497) 41°53'7.6"N, 087°35'26.3"W; then west to

(2498) 41°53'7.6"N, 087°36'23.2"W; then north to

(2499) 41°53'26.5"N, 087°36'24.6"W then east back to the point of origin (NAD 83).

(2500) (b) *Definitions*. The following definitions apply to this section:

(2501) (1) *Designated representative* means any Coast Guard Commissioned, warrant, or petty officer designated by the Captain of the Port, Lake Michigan to monitor a safety zone, permit entry into the zone, give legally enforceable orders to persons or vessels within the zone, and take other actions authorized by the Captain of the Port.

(2502) (2) *Public vessel* means vessels owned, chartered, or operated by the United States, or by a State or political subdivision thereof.

(2503) (c) *Regulations*. (1) In accordance with the general regulations in 33 CFR 165.23, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port, Lake Michigan, or his designated representative.

(2504) (2) This safety zone is closed to all vessel traffic, excepted as may be permitted by the Captain of the Port, Lake Michigan or his designated representative. All persons and vessels must comply with the instructions of the Coast Guard Captain of the Port or his designated representative. Upon being hailed by the U.S. Coast Guard by siren, radio, flashing light or other means, the operator of a vessel shall proceed as directed.

(2505) (3) All vessels must obtain permission from the Captain of the Port or his designated representative to enter, move within, or exit the safety zone established in this section when this safety zone is enforced. Vessels and persons granted permission to enter the safety zone must obey all lawful orders or directions of the Captain of the Port or a designated representative.

(2506) (d) *Notice of Enforcement or Suspension of Enforcement*. The safety zone established by this section will be enforced only upon notice of the Captain of the Port. The Captain of the Port will cause notice of enforcement of the safety zone established by this section to be made by all appropriate means to the affected segments of the public including publication in the Federal Register as practicable, in accordance with 33 CFR 165.7(a). Such means of notification may also include, but are not limited to Broadcast Notice to Mariners or Local Notice to Mariners.

(2507) (e) *Exemption*. Public vessels, as defined in paragraph (b) of this section, are exempt from the requirements in this section.

(2508) (f) *Waiver*. For any vessel, the Captain of the Port Lake Michigan or his designated representative may waive any of the requirements of this section, upon finding that operational conditions or other circumstances are such that application of this section is unnecessary or impractical for the purposes of public or environmental safety.

(2508.001)

§ 165.944 Regulated Navigation Area; Straits of Mackinac.

(2508.002) (a) Location. All navigable waters of the Straits of Mackinac bounded by longitudes 084°20′ W and 085°10′ W and latitudes 045°39′ N and 045°54′ N (NAD 83), including Grays Reef Passage, the South Channel between Bois Blanc Island and Cheboygan, MI, and the waters between Mackinac Island and St. Ignace, MI.

(2508.003) (b) Applicability. Unless otherwise stated, the provisions of this regulated navigation area (RNA) apply to the following vessels:

(2508.004) (1) Vessels of 40 meters (approx. 131 feet) or more in length, while navigating;

(2508.005) (2) Towing vessels of 20 meters (approx. 65 feet) or more in length, while engaged in towing another vessel astern, alongside or by pushing ahead; or

(2508.006) (3) Vessels certificated to carry 50 or more passengers for hire, when engaged in trade; or

(2508.007) (4) Each dredge or floating plant.

(2508.008) (c) Regulations. The general regulations contained in §§ 165.10, 165.11, and 165.13 apply within this RNA.

(2508.009) (1) Nothing in this regulation relieves any vessel, owner, operator, charterer, master, or person directing the movement of a vessel, from the consequences of any neglect to comply with this part or any other applicable law or regulation (i.e. the International Regulations for Prevention of Collisions at Sea, 1972 (72 COLREGS) or the Inland Navigation Rules) or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

(2508.010) (2) Vessels transiting through the RNA must comply with all directions given to them by the COTP, or a designated representative. The "designated representative" of the COTP is any Coast Guard commissioned, warrant or petty officer who is designated by the COTP to act on their behalf. The designated representative may be on a Coast Guard vessel; or other designated craft; or on shore and communicating via VHF–16 or telephone, 906–635–3319.

(2508.011) (3) Vessels transiting through the RNA must make a direct passage. No vessel may anchor or loiter within the RNA at any time without the expressed permission of the COTP or a designated representative.

(2508.012) (4) Vessels are prohibited from anchoring in any charted submerged cable and/or pipeline areas; except when expressly permitted by the COTP. Vessels desiring to anchor within the confines of the RNA, but outside a charted submerged cable and/or pipeline area, must contact the COTP or a designated representative one (1) hour in advance of anchoring via VHF–16 or telephone 906–635–3319. The person directing the movement of the vessel desiring to anchor shall provide the time, purpose and location for the proposed anchoring. Vessels who receive permission to anchor, shall notify the COTP or a designated representative no less than 15 minutes prior to getting underway via VHF–16 or telephone 906–635–3319.

(2508.013) (5) In an emergency, any vessel may deviate from this regulation to the extent necessary to avoid endangering the safety of persons, the environment, and/or property. If deviation from the regulation is necessary, the master or his designee shall inform the Coast Guard as soon as it is practicable to do so.

(2508.014) (6) The owner, operator, charterer, master or person directing the movement of a vessel desiring to anchor within the prescribed RNA for the purposes of work, dredging, or survey must receive permission from the COTP or a designated representative a minimum of 72 hours in advance of the desired activity. Vessels engaged in activities, such as tourism, ferrying, or sightseeing, which require anchoring, within the RNA boundaries, but not within charted submerged cables and/or pipelines areas, may request a waiver from the COTP.

(2508.015) (7) In the RNA, the District Commander or COTP may establish temporary traffic rules for reasons that include but are not limited to channel obstructions, winter navigation, unusual weather conditions, or unusual water levels.

(2508.016) (8) There may be times that the Ninth District Commander or the COTP finds it necessary to close the RNA to vessel traffic. During times of limited closure, persons and vessels may request permission to enter the RNA by contacting the COTP or a designated representative via VHF–16 or telephone 906–635–3319.

(2508.017) (d) *Definitions*. As used in this RNA:

(2508.018) (1) *Captain of the Port* means the United States Coast Guard Captain of the Port (COTP) of Sault Sainte Marie, Michigan.

(2508.019) (2) *Straits of Mackinac* means the navigable waters of the Great Lakes connecting Lake Huron to Lake Michigan passing between the upper and lower peninsulas of Michigan.

(2508.020) (3) *Loiter* means to linger aimlessly in or about a place making purposeless stops in the course of a trip, journey, or errand. Loitering does not include brief stops for sight-seeing, ferry, or tourism purposes.

(2508.021) (e) *Notification*. The Coast Guard will rely on the methods described in § 165.7 to notify the public of the time and duration of any closure of the RNA. Reports of violations of this RNA should go to COTP Sault Sainte Marie at 906–635–3319 or on VHF-Channel 16.

(2508.022) (f) *Waiver*. For any vessel, the COTP or a designated representative may waive any of the requirements of this section, upon finding that circumstances are such that application of this section is unnecessary or impractical for the purposes of safety or environmental safety.

(2509)

Subpart G-Protection of Naval Vessels

(2510)

§165.2010 Purpose.

(2511) This subpart establishes the geographic parameters of naval vessel protection zones surrounding U.S. naval vessels in the navigable waters of the United States. This subpart also establishes when the U.S. Navy will take enforcement action in accordance with the statutory guideline of 14 U.S.C. 91. Nothing in the rules and regulations contained in this subpart shall relieve any vessel, including U.S. naval vessels, from the observance of the Navigation Rules. The rules and regulations contained in this subpart supplement, but do not replace

or supercede, any other regulation pertaining to the safety or security of U.S. naval vessels.

(2512)

§165.2015 Definitions.

(2513) The following definitions apply to this subpart:

(2514) *Atlantic Area* means that area described in 33 CFR 3.04–1 Atlantic Area.

(2515) *Large U.S. naval vessel* means any U.S. naval vessel greater than 100 feet in length overall.

(2516) *Naval defensive sea area* means those areas described in 32 CFR part 761.

(2517) *Naval vessel protection zone* is a 500-yard regulated area of water surrounding large U.S. naval vessels that is necessary to provide for the safety or security of these U.S. naval vessels.

(2518) *Navigable waters of the United States* means those waters defined as such in 33 CFR part 2.

(2519) *Navigation rules* means the Navigation Rules, International-Inland.

(2520) *Official patrol* means those personnel designated and supervised by a senior naval officer present in command and tasked to a monitor a naval vessel protection zone, permit entry into zone, give legally enforceable orders to persons or vessels within the zone, and take other actions authorized by the U.S. Navy.

(2521) *Pacific Area* means that area described in 33 CFR 3.04–3 Pacific Area.

(2522) *Restricted area* means those areas established by the Army Corps of Engineers and set out in 33 CFR part 334.

(2523) *Senior naval officer present in command* is, unless otherwise designated by competent authority, the senior line officer of the U.S. Navy on active duty, eligible for command at sea, who is present and in command of any part of the Department of Navy in the area.

(2524) *U.S. naval vessel* means any vessel owned, operated, chartered, or leased by the U.S. Navy; any pre-commissioned vessel under construction for the U.S. Navy, once launched into the water; and any vessel under the operational control of the U.S. Navy or a Combatant Command.

(2525) *Vessel* means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, except U.S. Coast Guard or U.S. naval vessels.

(2526)

§165.2020 Enforcement authority.

(2527) (a) *Coast Guard*. Any Coast Guard commissioned, warrant or petty officer may enforce the rules and regulations contained in this subpart.

(2528) (b) *Senior naval officer present in command*. In the navigable waters of the United States, when immediate action is required and representatives of the Coast Guard are not present or not present in sufficient force to exercise effective control in the vicinity of large U.S. naval vessels, the senior naval officer present in command is responsible for the enforcement of the rules and regulations contained in this subpart to ensure the safety and security of all large naval vessels present. In meeting this responsibility, the senior naval officer present in command may directly assist any Coast Guard enforcement personnel who are present.

(2529)

§165.2025 Atlantic Area.

(2530) (a) This section applies to any vessel or person in the navigable waters of the United States within the boundaries of the U.S. Coast Guard Atlantic Area, which includes the First, Fifth, Seventh, Eighth and Ninth U.S. Coast Guard Districts.

(2531) Note to §165.2025 paragraph (a): The boundaries of the U.S. Coast Guard Atlantic Area and the First, Fifth, Seventh, Eighth and Ninth U.S. Coast Guard Districts are set out in 33 CFR part 3.

(2532) (b) A naval vessel protection zone exists around U.S. naval vessels greater than 100 feet in length overall at all times in the navigable waters of the United States, whether the large U.S. naval vessel is underway, anchored, moored, or within a floating dry dock, except when the largest naval vessel is moored or anchored within a restricted area or within a naval defensive area.

(2533) (c) The Navigation Rules shall apply at all times within a naval vessel protection zone.

(2534) (d) When within a naval protection zone, all vessels shall operate at the minimum speed necessary to maintain a safe course, unless required to maintain speed by the Navigation Rules, and shall proceed as directed by the Coast Guard, the senior naval officer present in command, or the official patrol. When within a naval vessel protection zone, no vessel or person is allowed within 100 yards of a large U.S. naval vessel unless authorized by the Coast Guard, the senior naval officer present in command, or official patrol.

(2535) (e) To request authorization to operate within 100 yards of a large U.S. naval vessel, contact the Coast Guard, the senior, naval officer present in command, or the official patrol on VHF-FM channel 16.

(2536) (f) When conditions permit, the Coast Guard, senior naval officer present in command, or the official patrol should:

(2537) (1) Give advance notice on VHF-FM channel 16 of all large U.S. naval movements;

(2538) (2) Permit vessels constrained by their navigational draft or restricted in their ability to maneuver to pass within 100 yards of a large U.S. naval vessel in order to ensure a safe passage in accordance with Navigation Rules; and

(2539) (3) Permit commercial vessels anchored in a designated anchorage area to remain at anchor when within 100 yards of passing large U.S. naval vessels; and

(2540) (4) Permit vessels that must transit via a navigable channel or waterway to pass within 100 yards of a moored or anchored large U.S. naval vessel with minimal delay consistent with security.

(2541) **Note to §165.2025 paragraph (f):** The listed actions are discretionary and do not create any additional right

to appeal or otherwise dispute a decision of the Coast Guard, the senior naval officer present in command, or the official patrol.

(2542)

Part 207–NavigationRegulations

(2543)

§207.50 Hudson River Lock at Troy, NY; navigation.

(2544) (a) *Authority of lockmaster*. The lockmaster shall be charged with the immediate control and management of the lock, and of the area set aside as the lock area, including the lock approach channels. He shall see that all laws, rules and regulations for the use of the lock and lock area are duly complied with, to which end he is authorized to give all necessary orders and directions in accordance therewith, both to employees of the Government and to any and every person within the limits of the lock or lock area, whether navigating the lock or not. No one shall cause any movement of any vessel, boat, or other floating thing in the lock or approaches except by or under the direction of the lockmaster or his assistants.

(2545) (b) *Signals*. Steamboats or tows desiring lockage in either direction shall give notice to the locktenders, when not more than three-fourths mile from the lock, by one long blast (of 10 seconds' duration), followed by one short blast (of three seconds' duration), of a whistle or horn. When the lock is ready for entrance a green light will be shown from the river wall. An amber light will indicate that the lock is being made ready for entrance. A red light will indicate that the approaching vessel must wait. Whenever local conditions make it advisable, the visual signals will be supplemented by sound signals as follows:

(2546) (1) One long blast of a horn to indicate that the vessel must wait.

(2547) (2) One short blast of a horn to indicate that the lock is being made ready for entrance.

(2548) (3) Two short blasts of a horn to indicate permission to enter the lock.

(2549) (4) Four short and rapid blasts to attract attention, indicate caution, and signal danger.

(2550) (c) *Draft of boats*. Deep-draft boats must clear the miter sills by at least 3 inches. Boats drawing too much water will not be allowed to lighter cargo in the entrances.

(2551) (d) *Precedence at the lock*. The vessel arriving first at the lock shall be first to lock through; but precedence shall be given to vessels belonging to the United States and to commercial vessels in the order named. Arrival posts or markers may be established ashore above or below the lock. Vessels arriving at or opposite such posts or markers will be considered as having arrived at the lock within the meaning of this paragraph. If the traffic is crowded in both directions, up and down lockages will usually be made alternately, but the locktender may permit two or more lockages to be made at one time in the same direction when this will not cause unreasonable delay. In case two or more boats or tows are to enter for the same lockage, they shall enter as directed by the locktender. No boat shall run ahead of another while in the lock. The boat that enters first shall leave first.

(2552) (e) *Lockage of pleasure boats*. The lockage of pleasure boats, house boats or like craft shall be expedited by locking them through with commercial craft (other than barges carrying gasoline or highly hazardous materials) in order to utilize the capacity of the lock to its maximum. Lockage of pleasure craft may be made with commercial craft carrying petroleum products other than gasoline, provided a clear distance of at least 100 feet between such vessels can be maintained in the lock. If, after the arrival of such craft, no separate or combined lockage can be accomplished within a reasonable time, not to exceed the time required for three other lockages, then separate lockage shall be made.

(2553) (f) *Stations while waiting*. Boats waiting their turn to enter the lock must lie at a sufficient distance from the lock and in such a position as to leave sufficient room for the passage of boats leaving the lock.

(2554) (g) *Unnecessary delay*. (1) Boats must not cause delay in entering or leaving the lock. Masters and pilots will be held to a strict accountability in this matter, and those with tows must provide enough men to move barges promptly. Boats failing to enter the lock with reasonable promptness after being signaled will lose their turn.

(2555) (2) Tugboats arriving with their tows in a condition which will delay locking shall lose their turn if so ordered by the lock tender. Leaking boats may be excluded until put in shape to be passed through safely.

(2556) (h) *Mooring*. Boats in the lock or waiting in the entrance shall be moored where directed by the lock tender, by bow, stern, and spring lines, to the snubbing posts or line hooks. Tying boats to the lock ladders is strictly prohibited.

(2557) (i) *Protection of lock gates*. Boats will not be permitted to enter or leave the lock until the lock gates are at rest in the gate recesses and the lock tender has directed the boat to start.

(2558) (j) *Damage to walls, etc*. All craft passing through the lock must be free from projections or sharp corners which might scar the walls or injure other parts. Steamboats must be provided with suitable fenders, etc. One man shall be kept at the head of every tow till it has cleared the lock and guide walls, and shall use the fender to prevent scarring the walls.

(2559) (k) *Handling machinery*. None but employees of the United States will be allowed to move any valve, gate, or other machinery belonging to the lock.

(2560) (l) *Refuse in lock*. Throwing ashes, refuse, or other obstruction in the entrances or in the lock, or on the walls thereof, and passing coal from flats or barges to a steam boat while in the lock is prohibited.

(2561) (m) (Reserved)

(2562) (n) *Trespass on United States property*. Trespass on United States property, or willful injury to the banks, masonry, fences, trees, houses, machinery, or other

property of the United States at or near the lock is strictly prohibited.

(2563) (o) *Penalties*. In addition to the penalties prescribed by law, boats which fail to comply with the regulations in this section will thereafter be refused lockage until assurances have been received, satisfactory to the District Engineer, Corps of Engineers, New York, NY, that the regulations will be complied with.

(2564)

§207.300 Ohio River, Mississippi River above Cairo, IL., and their tributaries; use, administration, and navigation.

(2565) (a) *Authority of lockmasters*—(1) Locks Staffed with Government Personnel. The provisions of this paragraph apply to all waterways in this section except for Cordell Hull Lock located at Mile 313.5 on the Cumberland River in Tennessee. The lockmaster shall be charged with the immediate control and management of the lock, and of the area set aside as the lock area, including the lock approach channels. He/she shall see that all laws, rules, and regulations for the use of the lock and lock area are duly complied with, to which end he/she is authorized to give all necessary orders and directions in accordance therewith, both to employees of the Government and to any and every person within the limits of the lock or lock area, whether navigating the lock or not. No one shall cause any movement of any vessel, boat, or other floating thing in the lock or approaches except by or under the direction of the lockmaster or his/her assistants. In the event of an emergency, the lockmaster may depart from these regulations as he deems necessary. The lockmasters shall also be charged with the control and management of federally constructed mooring facilities.

(2566) (2) *Locks staffed with contract personnel*. The provisions of this paragraph apply to Cordell Hull Lock located at Mile 313.5 on the Cumberland River in Tennessee. Contract personnel shall give all necessary orders and directions for operations of the lock. No one shall cause any movement of any vessel, boat or other floating thing in the locks or approaches except by or under the direction of the contract lock operator. All duties and responsibilities of the lockmaster set forth in this section shall be performed by the contract lock operator except that responsibility for enforcing all laws, rules, and regulations shall be vested in a government employee designated by the Nashville District Engineer. The district engineer will notify waterway users and the general public through appropriate notices and media concerning the location and identity of the designated government employee.

(2567) (b) *Safety rules for vessels using navigation locks*. The following safety rules are hereby prescribed for vessels in the locking process, including the act of approaching or departing a lock:

(2568) (1) *Tows with flammable or hazardous cargo barges, loaded or empty*. (i) Stripping barges or transferring cargo is prohibited.

(2569) (ii) All hatches on barges used to transport flammable or hazardous materials shall be closed and latched, except those barges carrying a gas-free certificate.

(2570) (iii) Spark-proof protective rubbing fenders ("possums") shall be used.

(2571) (2) *All vessels*. (i) Leaking vessels may be excluded from locks until they have been repaired to the satisfaction of the lockmaster.

(2572) (ii) Smoking, open flames, and chipping or other spark-producing activities are prohibited on deck during the locking cycle.

(2573) (iii) Painting will not be permitted in the lock chamber during the locking cycle.

(2574) (iv) Tow speeds shall be reduced to a rate of travel such that the tow can be stopped by checking should mechanical difficulties develop. Pilots should check with the individual lockmasters concerning prevailing conditions. It is also recommended that pilots check their ability to reverse their engines prior to beginning an approach. Engines shall not be turned off in the lock until the tow has stopped and been made fast.

(2575) (v) U.S. Coast Guard regulations require all vessels to have on board life saving devices for prevention of drowning. All crew members of vessels required to carry work vests (life jackets) shall wear them during a lockage, except those persons in an area enclosed with a handrail or other device which would reasonably preclude the possibility of falling overboard. All deckhands handling lines during locking procedure shall wear a life jacket. Vessels not required by Coast Guard regulations to have work vests aboard shall have at least the prescribed life saving devices, located for ready access and use if needed. The lockmaster may refuse lockage to any vessel which fails to conform to the above.

(2576) (c) *Reporting of navigation incidents*. In furtherance of increased safety on waterways the following safety rules are hereby prescribed for all navigation interests:

(2577) (1) Any incident resulting in uncontrolled barges shall immediately be reported to the nearest lock. The report shall include information as to the number of loose barges, their cargo, and the time and location where they broke loose. The lockmaster or locks shall be kept informed of the progress being made in bringing the barges under control so that he can initiate whatever actions may be warranted.

(2578) (2) Whenever barges are temporarily moored at other than commercial terminals or established fleeting areas, and their breaking away could endanger a lock, the nearest lock shall be so notified, preferably the downstream lock.

(2579) (3) Sunken or sinking barges shall be reported to the nearest lock both downstream and upstream of the location in order that other traffic passing those points may be advised of the hazards.

(2580) (4) In the event of an oil spill, notify the nearest lock downstream, specifying the time and location of the incident, type of oil, amount of spill, and what recovery or controlling measures are being employed.

(2581) (5) Any other activity on the waterways that could conceivably endanger navigation or a navigation structure shall be reported to the nearest lock.

(2582) (6) Whenever it is necessary to report an incident involving uncontrolled, sunken or sinking barges, the cargo in the barges shall be accurately identified.

(2583) (d) *Precedence at locks*. (1) The vessel arriving first at a lock shall normally be first to lock through, but precedence shall be given to vessels belonging to the United States. Licensed commercial passenger vessels operating on a published schedule or regularly operating in the "for hire" trade shall have precedence over cargo tows and like craft. Commercial cargo tows shall have precedence over recreational craft, except as described in paragraph (f) of this section.

(2584) (2) Arrival posts or markers may be established ashore above and/or below the locks. Vessels arriving at or opposite such posts or markers will be considered as having arrived at the locks within the meaning of this paragraph. Precedence may be established visually or by radio communication. The lockmaster may prescribe such departure from the normal order of precedence as in his judgment is warranted to achieve best lock utilization.

(2585) (e) *Unnecessary delay at locks*. Masters and pilots must use every precaution to prevent unnecessary delay in entering or leaving locks. Vessels failing to enter locks with reasonable promptness when signaled to do so shall lose their turn. Rearranging or switching of barges in the locks or in approaches is prohibited unless approved or directed by the lockmaster. This is not meant to curtail "jackknifing" or set-overs where normally practiced.

(2586) (f) *Lockage of recreational craft*. In order to fully utilize the capacity of the lock, the lockage of recreational craft shall be expedited by locking them through with commercial craft: *Provided* that both parties agree to joint use of the chamber. When recreational craft are locked simultaneously with commercial tows, the lockmaster will direct, whenever practicable, that the recreational craft enter the lock and depart while the tow is secured in the lock. Recreational craft will not be locked through with vessels carrying volatile cargoes or other substances likely to emit toxic or explosive vapors. If the lockage of recreation craft cannot be accomplished within the time required for three other lockages, a separate lockage of recreational craft shall be made. Recreational craft operators are advised that many locks have a pull chain located at each end of the lock which signals the lockmaster that lockage is desired. Furthermore, many Mississippi River locks utilize a strobe light at the lock to signal recreational type vessels that the lock is ready for entry. Such lights are used exclusively to signal recreational craft.

(2587) (g) *Simultaneous lockage of tows with dangerous cargoes*. Simultaneous lockage of other tows with tows carrying dangerous cargoes or containing flammable vapors normally will only be permitted when there is agreement between the lockmaster and both vessel masters that the simultaneous lockage can be executed safely. He shall make a separate decision each time such action seems safe and appropriate, provided:

(2588) (1) The first vessel or tow in and the last vessel or tow out are secured before the other enters or leaves.

(2589) (2) Any vessel or tow carrying dangerous cargoes is not leaking.

(2590) (3) All masters involved have agreed to the joint use of the lock chamber.

(2591) (h) *Stations while awaiting a lockage*. Vessels awaiting their turn to lock shall remain sufficiently clear of the structure to allow unobstructed departure for the vessel leaving the lock. However, to the extent practicable under the prevailing conditions, vessels and tows shall position themselves so as to minimize approach time when signaled to do so.

(2592) (i) *Stations while awaiting access through navigable pass*. When navigable dams are up or are in the process of being raised or lowered, vessels desiring to use the pass shall wait outside the limits of the approach points unless authorized otherwise by the lockmaster.

(2593) (j) *Signals*. Signals from vessels shall ordinarily be by whistle; signals from locks to vessels shall be by whistle, another sound device, or visual means. When a whistle is used, long blasts of the whistle shall not exceed 10 seconds and short blasts of the whistle shall not exceed 3 seconds. Where a lock is not provided with a sound or visual signal installation, the lockmaster will indicate by voice or by the wave of a hand when the vessel may enter or leave the lock. Vessels must approach the locks with caution and shall not enter nor leave the lock until signaled to do so by the lockmaster. The following lockage signals are prescribed:

(2594) (1) *Sound signals by means of a whistle*. These signals apply at either a single lock or twin locks.

(2595) (i) Vessels desiring lockage shall on approaching a lock give the following signals at a distance of not more than one mile from the lock;

(2596) (a) If a single lockage only is required: One long blast of the whistle followed by one short blast.

(2597) (b) If a double lockage is required: One long blast of the whistle followed by two short blasts.

(2598) (ii) When the lock is ready for entrance, the lock will give the following signals:

(2599) (a) One long blast of the whistle indicates permission to enter the lock chamber in the case of a single lock or to enter the landward chamber in the case of twin locks.

(2600) (b) Two long blasts of the whistle indicates permission to enter the riverward chamber in the case of twin locks.

(2601) (iii) Permission to leave the locks will be indicated by the following signals given by the lock:

(2602) (a) One short blast of the whistle indicates permission to leave the lock chamber in the case of a single lock or to leave the landward chamber in the case of twin locks.

(2603) (b) Two short blasts of the whistle indicates permission to leave the riverward chamber in the case of twin locks.

(2604) (iv) Four or more short blasts of the lock whistle delivered in rapid succession will be used as a means of attracting attention, to indicate caution, and to signal danger. This signal will be used to attract the attention of the captain and crews of vessels using or approaching the lock or navigating in its vicinity and to indicate that something unusual involving danger or requiring special caution is happening or is about to take place. When this signal is given by the lock, the captains and crews of vessels in the vicinity shall immediately become on the alert to determine the reason for the signal and shall take the necessary steps to cope with the situation.

(2605) (2) *Lock signal lights*. At locks where density of traffic or other local conditions make it advisable, the sound signals from the lock will be supplemented by signal lights. Flashing lights (showing a one-second flash followed by a two-second eclipse) will be located on or near each end of the land wall to control use of a single lock or of the landward lock of double locks. In addition, at double locks, interrupted flashing lights (showing a one-second flash, a one-second eclipse and a one-second flash, followed by a three-second eclipse) will be located on or near each end of the intermediate wall to control use of the riverward lock. Navigation will be governed as follows:

(2606) (i) *Red light*. Lock cannot be made ready immediately. Vessel shall stand clear.

(2607) (ii) *Amber light*. Lock is being made ready. Vessel may approach but under full control.

(2608) (iii) *Green light*. Lock is ready for entrance.

(2609) (iv) *Green and Amber*. Lock is ready for entrance but gates cannot be recessed completely. Vessel may enter under full control and with extreme caution.

(2610) (3) *Radio Communications*. VHF-FM radios, operating in the FCC authorized Maritime Band, have been installed at all operational locks (except those on the Kentucky River and Lock 3, Green River). Radio contact may be made by any vessel desiring passage. Commercial tows are especially requested to make contact at least one half hour before arrival in order that the pilot may be informed of current river and traffic conditions that may affect the safe passage of his tow.

(2611) (4) All locks monitor 156.8 MHz (Ch. 16) and 156.65 MHz (Ch. 13) and can work 156.65 MHz (Ch. 13) and 156.7 MHz (Ch. 14) Ch. 16 is the authorized call, reply and distress frequency, and locks are not permitted to work on this frequency except in an emergency involving the risk of immediate loss of life or property. Vessels may call and work Ch. 13, without switching but are cautioned that vessel to lock traffic must not interrupt or delay Bridge to Bridge traffic which has priority at all times.

(2612) (k) *Rafts*. Rafts to be locked through shall be moored in such manner as not to obstruct the entrance of the lock, and if to be locked in sections, shall be brought to the lock as directed by the lockmaster. After passing the lock the sections shall be reassembled at such distance beyond the lock as not to interfere with other vessels.

(2613) (1) *Entrance to and exit from locks*. In case two or more boats or tows are to enter for the same lockage, their order of entry shall be determined by the lockmaster. Except as directed by the lockmaster, no boat shall pass another in the lock. In no case will boats be permitted to enter or leave the locks until directed to do so by the lockmaster. The sides of all craft passing through any lock shall be free from projections of any kind which might injure the lock walls. All vessels shall be provided with suitable fenders, and shall be used to protect the lock and guide walls until it has cleared the lock and guide walls.

(2614) (m) *Mooring*—(1) *At locks*. (i) All vessels when in the locks shall be moored as directed by the lockmaster. Vessels shall be moored with bow and stern lines leading in opposite directions to prevent the vessel from "running" in the lock. All vessels will have one additional line available on the head of the tow for emergency use. The pilothouse shall be attended by qualified personnel during the entire locking procedure. When the vessel is securely moored, the pilot shall not cause movement of the propellers except in emergency or unless directed by the lockmaster. Tying to lock ladders is strictly prohibited.

(2615) (ii) Mooring of unattended or nonpropelled vessels or small craft at the upper or lower channel approaches will not be permitted within 1200 feet of the lock.

(2616) (2) *Outside of locks*. (i) No vessel or other craft shall regularly or permanently moor in any reach of a navigation channel. The approximate centerline of such channels are marked as the sailing line on Corps of Engineers' navigation charts. Nor shall any floating craft, except in an emergency, moor in any narrow or hazardous section of the waterway. Furthermore, all vessels or other craft are prohibited from regularly or permanently mooring in any section of navigable waterways which are congested with commercial facilities or traffic unless it is moored at facilities approved by the Secretary of the Army or his authorized representative. The limits of the congested areas shall be marked on Corps of Engineers' navigation charts. However, the District Engineer may authorize in writing exceptions to any of the above if, in his judgment, such mooring would not adversely affect navigation and anchorage.

(2617) (ii) No vessel or other craft shall be moored to railroad tracks, to riverbanks in the vicinity of railroad tracks when such mooring threatens the safety of equipment using such tracks, to telephone poles or power poles, or to bridges or similar structures used by the public.

(2618) (iii) Except in case of great emergency, no vessel or craft shall anchor over revetted banks of the river, and no floating plant other than launches and similar small craft shall land against banks protected by revetment except at regular commercial landings. In all cases, every precaution to avoid damage to the revetment works shall be exercised. The construction of log rafts along mattressed or paved banks or the tying up and landing of log rafts against such banks shall be performed in such a manner as to cause no damage to the mattress work or

bank paving. Generally, mattress work extends out into the river 600 feet from the low water line.

(2619) (iv) Any vessel utilizing a federally constructed mooring facility (e.g., cells, buoys, anchor rings) at the points designated on the current issue of the Corps' navigation charts shall advise the lockmaster at the nearest lock from that point by the most expeditious means.

(2620) (n) *Draft of vessels*. No vessel shall attempt to enter a lock unless its draft is at least three inches less than the least depth of water over the guard sills, or over the gate sills if there be no guard sills. Information concerning controlling depth over sills can be obtained from the lockmaster at each lock or by inquiry at the office of the district engineer of the district in which the lock is located.

(2621) (o) *Handling machinery*. No one but employees of the United States shall move any lock machinery except as directed by the lockmaster. Tampering or meddling with the machinery or other parts of the lock is strictly forbidden.

(2622) (p) *Refuse in locks*. Placing or discharging refuse of any description into the lock, on lock walls or esplanade, canal or canal bank is prohibited.

(2623) (q) *Damage to locks or other work*. To avoid damage to plant and structures connected with the construction or repair of locks and dams, vessels passing structures in the process of construction or repair shall reduce their speed and navigate with special caution while in the vicinity of such work. The restrictions and admonitions contained in these regulations shall not affect the liability of the owners and operators of floating craft for any damage to locks or other structures caused by the operation of such craft.

(2624) (r) *Trespass of lock property*. Trespass on locks or dams or other United States property pertaining to the locks or dams is strictly prohibited except in those areas specifically permitted. Parties committing any injury to the locks or dams or to any part thereof will be responsible therefor. Any person committing a willful injury to any United States property will be prosecuted. No fishing will be permitted from lock walls, guide walls, or guard walls of any lock or from any dam, except in areas designated and posted by the responsible District Engineer as fishing areas. Personnel from commercial and recreational craft will be allowed on the lock structure for legitimate business reasons; e.g., crew changes, emergency phone calls, etc.

(2625) (s) *Restricted areas at locks and dams*. All waters immediately above and below each dam, as posted by the respective District Engineers, are hereby designated as restricted areas. No vessel or other floating craft shall enter any such restricted area at any time. The limits of the restricted areas at each dam will be determined by the responsible District Engineer and marked by signs and/or flashing red lights installed in conspicuous and appropriate places.

(2626) (t) [Reserved]

(2627) (u) *Operations during high water and floods in designated vulnerable areas*. Vessels operating on these waters during periods when river stages exceed the level of "ordinary high water," as designated on Corps of Engineers' navigation charts, shall exercise reasonable care to minimize the effects of their bow waves and propeller washes on river banks; submerged or partially submerged structures or habitations; terrestrial growth such as trees and bushes; and man-made amenities that may be present. Vessels shall operate carefully when passing close to levees and other flood protection works, and shall observe minimum distances from banks which may be prescribed from time to time in Notices to Navigation Interests. Pilots should exercise particular care not to direct propeller wash at river banks, levees, revetments, structures or other appurtenances subject to damage from wave action.

(2628) (v) *Navigation lights for use at all locks and dams except on the Kentucky River and Lock 3, Green River*. (1) At locks at all fixed dams and at locks at all movable dams when the dams are up so that there is no navigable pass through the dam, the following navigation lights will be displayed during hours of darkness:

(2629) (i) Three green lights visible through an arc of 360° arranged in a vertical line on the upstream end of the river (guard) wall unless the intermediate wall extends farther upstream. In the latter case, the lights will be placed on the upstream end of the intermediate wall.

(2630) (ii) Two green lights visible through an arc of 360° arranged in a vertical line on the downstream end of the river (guard) wall unless the intermediate wall extends farther downstream. In the latter case, the lights will be placed on the downstream end of the intermediate wall.

(2631) (iii) A single red light, visible through an arc of 360° on each end (upstream and downstream) of the land (guide) wall.

(2632) (2) At movable dams when the dam has been lowered or partly lowered so that there is an unobstructed navigable pass through the dam, the navigation lights indicated in the following paragraphs will be displayed during hours of darkness until lock walls and weir piers are awash.

(2633) (i) Three red lights visible through an arc of 360° arranged in a vertical line on the upstream end of the river (guard) wall.

(2634) (ii) Two red lights visible through an arc of 360° arranged in a vertical line on the downstream end of the river (guard) wall.

(2635) (iii) A single red light visible through an arc of 360° on each end (upstream and downstream) of the land (guide) wall.

(2636) (3) After lock walls and weir piers are awash they will be marked as prescribed in paragraph (x) of this section.

(2637) (4) If one or more bear traps or weirs are open or partially open, and may cause a set in current conditions at the upper approach to the locks, this fact will be indicated by displaying a white circular disk 5 feet in diameter, on

or near the light support on the upstream end of the land (guide) wall during the hours of daylight, and will be indicated during hours of darkness by displaying a white (amber) light vertically under and 5 feet below the red light on the upstream end of the land (guide) wall.

(2638) (5) At Locks No. 1 and 2, Green River, when the locks are not in operation because of high river stages, a single red light visible through an arc of 360° will be displayed on each end (upstream and downstream) of the lock river (guard) will at which time the lights referred to above will not be visible.

(2639) (w) *Navigation lights for use at locks and dams on the Kentucky River and Lock 3, Green River*. A single red light visible through an arc of 360° shall be displayed during hours of darkness at each end of the river wall or extending guard structures until these structures are awash.

(2640) (x) *Buoys at movable dams*. (1) Whenever the river (guard) wall of the lock and any portion of the dam are awash, and until covered by a depth of water equal to the project depth, the limits of the navigable pass through the dam will be marked by buoys located at the upstream and downstream ends of the river (guard) wall, and by a single buoy over the end or ends of the portion or portions of the dam adjacent to the navigable pass over which project depth is not available. A red nun-type buoy will be used for such structures located on the left-hand side (facing downstream) of the river and a black can-type buoy for such structures located on the right-hand side. Buoys will be lighted, if practicable.

(2641) (2) Where powerhouses or other substantial structures projecting considerably above the level of the lock wall are located on the river (guard) wall, a single red light located on top of one of these structures may be used instead of river wall buoys prescribed above until these structures are awash, after which they will be marked by a buoy of appropriate type and color (red nun or black can buoy) until covered by a depth of water equal to the project depth. Buoys will be lighted, if practicable.

(2642) (y) *Vessels to carry regulations*. A copy of these regulations shall be kept at all times on board each vessel regularly engaged in navigating the rivers to which these regulations apply. Copies may be obtained from any lock office or District Engineer's office on request. Masters of such vessels are encouraged to have on board copies of the current edition of appropriate navigation charts.

(2643)

Notes:

(2644) 1. Muskingum River Lock and Dam 1 has been removed. Ohio River slackwater provides navigable channel for recreational craft to Lock 2 near Devola, Ohio. Muskingum River Locks 2 thru 11 inclusive have been transferred to the State of Ohio and are operated during the recreational boating season by the Ohio Department of Natural Resources. Inquiries regarding Muskingum River channel conditions and lock availability should be directed to the aforementioned Department.

(2645) 2. Little Kanawha River Lock and Dam 1 has been removed, thus permitting recreational craft to navigate up to Lock 2 near Slate, West Virginia. Operation of Locks 2 thru 5 on the Little Kanawha River has been discontinued.

(2646) 3. Big Sandy River: Lock 1 has been removed, thus permitting recreational craft to navigate to Lock 2, near Buchanan, KY. Operation of Lock 2 and Lock 3 near Fort Gay, WV has been discontinued. Operation of Lock and Dam 1 on Levisa Fork near Gallup, KY, and Lock and Dam 1 on Tug Fork near Chapman, KY has been discontinued.

(2647) 4. Operation of the following Green River Locks has been discontinued: Lock 4 near Woodbury, KY, Lock 5 near Glenmore, KY, and Lock 6 near Brownsville, KY

(2648) 5. Operation of Barren River Lock and Dam No. 1 near Richardsville, KY has been discontinued.

(2649) 6. Operation of Rough River Lock and Dam No. 1 near Hartford, KY has been discontinued.

(2650) 7. Operation of Osage River Lock and Dam 1 near Osage City, Mo., has been discontinued.

(2651) 8. Operation of the 34 locks in the Illinois and Mississippi (Hennepin) Canal, including the feeder section, has been discontinued.

(2652) 9. Operation of the Illinois and Michigan Canal has been discontinued.

(2653)

§207.390 [Reserved]

(2654)

§207.420 Chicago River, IL; Sanitary District controlling works, and the use, administration, and navigation of the lock at the mouth of river, Chicago Harbor.

(2655) (a) *Controlling works*. The controlling works shall be so operated that the water level in the Chicago River will be maintained at a level lower than that of the lake, except in times of excessive storm run-off into the river or when the level of the lake is below minus 2 feet, Chicago City Datum.

(2656) (1) The elevation to be maintained in the Chicago River at the west end of the lock will be determined from time to time by the U.S. District Engineer, Chicago, Illinois. It shall at no time be higher than minus 0.5 foot, Chicago City Datum, and at no time lower than minus 2.0 feet, Chicago City Datum, except as noted in the preceding paragraph.

(2657) (b) *Lock*—(1) *Operation*. The lock shall be operated by the Metropolitan Sanitary District of Chicago under the general supervision of the U.S. District Engineer, Chicago, Illinois. The lock gates shall be kept in the closed position at all times except for the passage of navigation.

(2658) (2) *Description of lock*.

(2659)

	Feet
Clear length	600
Clear width	80

	Feet
Depth over sills	24.4[1]

[1] This depth is below Chicago City Datum which is the zero of the gages mounted on the lock. The clear depth below Low Water Datum for Lake Michigan, which is the plane of reference for U. S. Lake Survey Charts, is 23.0 feet.

(2660) The east end of the northeast guide wall shall be marked by an intermittent red light, and by a traffic light showing a fixed red or fixed green light. The west end of the northwest gate block shall be marked by a traffic light showing a fixed red or fixed green light. The east end of the southeast guide wall and the west end of the southwest guide wall shall be marked by an intermittent white light.

(2661) (3) *Authority of lockmasters*. The lockmaster shall be charged with the immediate control and management of the lock, and of the area set aside as the lock area, including the lock approach channels. He shall see that all laws, rules and regulations for the use of the lock and lock area are duly complied with, to which end he is authorized to give all necessary orders and directions in accordance therewith, both to employees of the Government and to any and every person within the limits of the lock or lock area, whether navigating the lock or not. No one shall cause any movement of any vessel, boat, or other floating thing in the lock or approaches except by or under the direction of the lockmaster or his assistants.

(2662) (4) *Signals*. (i) Signals from vessels for lockage shall be by whistle, horn or by idling or standing near the ends of the lock guide walls. Signals from the lockmaster shall be by the traffic light and horn and/or by voice with or without electrical amplification. In case of emergency, the lockmaster may signal the vessel by wave of hand or lantern, and the signals thus given shall have the same weight as though given by visual or sound devices at the lock. Vessels must approach the lock with caution and shall not enter or leave the lock until signaled to do so by the lockmaster. The following lockage signals and duration of sound signals are prescribed. A long blast shall be of 4 second duration; a short blast shall be of 1 second duration.

(2663) (a) *Vessel signals*. Inbound vessels at a distance of not more than 4,000 feet from the lock and outbound vessels immediately after crossing under the Lake Shore Drive bridge shall signal for lockage by 2 long and 2 short blasts of a whistle or horn.

(2664) (b) *Lock signals*. (1) When the lock is ready for entrance, the traffic light will show green, and vessels under 500 gross tons shall come ahead under caution and enter the lock; vessels of 500 gross tons or more shall come to a stop along the guide wall, as prescribed in paragraph 5. Should the traffic light be out of order or be invisible due to thick weather, vessels shall upon 1 long blast of the lock horn approach and moor to the south guide wall or continue into the lock if so directed by the lockmaster.

(2665) (2) When the lock is not ready for entrance, the traffic light will show red, and vessels shall not pass beyond the end of the south guide wall: *Provided, however*, that vessels may approach and moor to said wall if authorized by 1 long blast of the lock horn.

(2666) (3) Permission to leave the lock shall be indicated by 1 short blast of the lock horn.

(2667) (4) Caution or danger will be indicated by 4 or more flashes of the red traffic light or 4 or more short blasts of the lock horn delivered in rapid succession.

(2668) (ii) When in the lock, vessels shall not blow whistle signals for tugs, bridges, landings, etc., without the lockmaster's permission.

(2669) (iii) The master and chief engineer of each vessel of 500 gross tons or more shall be on duty at their respective stations when passing through the lock.

(2670) (5) *Stop before entering*. All vessels or tows of 500 gross tons or more shall come to a full stop at the point indicated by the sign reading "Stop" on the south guide wall and shall not proceed into the lock until so directed by the lockmaster.

(2671) (6) *Maximum draft*. Vessels drawing within 6 inches of the depth over the sills shall not be permitted lockage except under special permission from the lockmaster.

(2672) (7) *Precedence at locks*. The vessel arriving first at a lock shall be first to lock through; but precedence shall be given to vessels belonging to the United States and to commercial vessels in the order named. Arrival posts or markers may be established ashore above or below the locks. Vessels arriving at or opposite such posts or markers will be considered as having arrived at the locks within the meaning of this paragraph.

(2673) (8) *Lockage of pleasure boats*. The lockage of pleasure boats, house boats or like craft shall be expedited by locking them through with commercial craft (other than barges carrying petroleum products or highly hazardous materials) in order to utilize the capacity of the lock to its maximum. If, after the arrival of such craft, no separate or combined lockage can be accomplished within a reasonable time, not to exceed the time required for three other lockages, then separate lockage shall be made.

(2674) (9) *Speed of approach and departure*. Vessels of 500 gross tons or more when approaching the lock shall navigate at a speed not exceeding 2 miles per hour, and when leaving the lock shall navigate at a speed not exceeding 6 miles per hour. While entering or leaving the lock, the propellers of vessels of 500 gross tons or more shall be operated at slow speed so as not to undermine or injure the concrete paving on the bottom of the lock chamber. Tugs assisting vessels in lockage, and Coast Guard and fire vessels, may navigate at a higher speed when authorized by the lockmaster. Vessels of less than 500 gross tons shall operate at reasonable speed.

(2675) (10) *Mooring*. (i) Vessels shall be moored in the lock or along its approach walls in such a manner as may be directed by the lockmaster. Tying to lock ladders, lamp standards, or railings is strictly prohibited. Commercial vessels and tows of 500 gross tons or more shall, in general, have at least one line out when entering the lock

and shall be moored in the lock with two bow and two stern lines, which shall lead forward and aft at each end of the vessel or tow. When the gates are closed, commercial vessels shall not be permitted to work their wheels. Said vessels shall have at least two seamen ashore to handle the mooring lines while they are in the lock.

(2676) (ii) Mooring lines shall not be cast off until after the lock gates have been opened fully into their recesses, and the signal given to leave the lock. The lines leading aft shall be released first. The lines leading forward shall not be released until the vessel has started to move forward, so as to prevent the vessel from drifting back into the lock gates.

(2677) (11) [Reserved]

(2678) (12) *Unnecessary delay at lock*. Masters and pilots must use every precaution to prevent unnecessary delay in entering or leaving the lock. Vessels failing to enter lock with reasonable promptness, when signaled to do so, shall lose their turn. Vessels arriving at the lock with their tows in such shape so as to impede lockage, shall lose their turn.

(2679) (13) *Depositing refuse prohibited*. The depositing of ashes or refuse matter of any kind in the lock; the passing of coal from barges or flats while in the lock; and the emission of dense smoke from any vessel while passing through the lock, is forbidden.

(2680) (14) *Vessels denied lockage*. The lockmaster may deny the privilege of passage through the lock to any vessel with sharp or rough projecting surfaces of any kind, or overhanging rigging, or any vessel which is badly leaking or in a sinking condition.

(2681) (15) *Fenders*. All barges and oil tankers must be provided with suitable nonmetallic fenders so as to eliminate damage to the lock or approach walls and reduce fire hazard. Said fenders shall be used as may be directed by the lockmaster.

(2682) (16) *Operating machinery*. Lock employees only shall be permitted to operate the lock gates, valves, signals or other appliances. Tampering or meddling with machinery or other parts of the lock is strictly forbidden.

(2683) (17) [Reserved]

(2684) (18) *Vessels to carry regulations*. A copy of the regulations in this section shall be kept at all times on board each vessel regularly engaged in navigating this lock. Copies may be obtained without charge from the lockmaster.

(2685) (19) *Failure to comply with regulations*. Any vessel failing to comply with this section or any orders given in pursuance thereof, may in the discretion of the lockmaster be denied the privilege of passage through or other use of the lock or appurtenant structures.

(2686)

§207.425 Calumet River, IL.; Thomas J. O'Brien Lock and Controlling Works and the use, administration, and navigation of the lock.

(2687) (a) *Controlling Works*. (1) The controlling works shall be so operated that the water level at the downstream end of the lock will be maintained at a level lower than that of Lake Michigan, except in times of excessive storm runoff into the Illinois Waterway, or when the lake level is below minus 2 feet, Chicago City Datum.

(2688) (2) The elevation to be maintained at the downstream end of the lock shall at no time be higher than minus 0.5 feet, Chicago City Datum, and at no time lower than minus 2.0 feet, Chicago City Datum, except as noted in paragraph (a)(1) of this section.

(2689) (b) *Lock*—(1) *Operation*. The Thomas J. O'Brien Lock and Dam is part of the Illinois Waterway which is a tributary of the Mississippi River. All rules and regulations defined in 207.300, Ohio River, Mississippi River above Cairo, IL, and their tributaries; use, administration, and navigation shall apply.

(2690)

§207.440 St. Marys Falls Canal and Locks, MI.; use, administration, and navigation.

(2691) (a) The use, administration, and navigation of the canal and canal grounds shall be under the direction of the District Engineer, Engineer Department at Large, in charge of the locality, and his authorized agents. The term "canal" shall include all of the natural waters of the St. Marys River on the United States side of the International Boundary and all of the canalized waterway and the locks therein between the western or upstream limit, which is a north and south line tangent to the west end of the Northwest Pier, and the eastern or downstream limit, which is a north and south line tangent to the northeast corner of the old Fort Brady Reservation, the distance between limits being 1.9 miles. The term "canal grounds" shall include all of the United States part and other lands, piers, buildings, water level regulation works, hydroelectric power plant, and other appurtenances acquired or constructed for the channel improvement and use of the waterway.

(2692) **Note:** Rules and regulations governing the movements of vessels and rafts in St. Marys River from Point Iroquois, on Lake Superior, to Point Detour, on Lake Huron, prescribed by the United States Coast Guard pursuant to 33 U.S.C. 475, are contained in 33 CFR 92.

(2693) (b) Masters of all registered vessels approaching and desiring to use the locks shall, upon arriving at Sailors Encampment, Little Rapids Cut, and Brush Point, report the name of the vessel and its draft to the Coast Guard Lookout Stations at those points.

(2694) (c) *Approach requirements*. Upon approaching the canal, vessel masters shall request lock dispatch by radiotelephone to the Corps of Engineers Chief Lockmaster at St. Marys Falls Canal dispatch tower (Radio Call WUE-21). Every up bound vessel requiring lock transit shall request lock dispatch immediately before initiating the turn at Mission Point at the intersection of Course 1, Bayfield Channel, and Course 2, Little Rapids Cut. Every down bound vessel shall call when approximately one-half mile downstream from Big Point.

(2695) (d) When in the locks, vessels shall not blow whistle signals for tugs, supply vessels, or persons unless authorized to do so by the District Engineer or his authorized agents.

(2696) (e)(1) *Manning requirements*. On all vessels of 400 gross tons or over navigating the canal under their own power, the following ship's personnel shall be on duty. In the pilot house, on the bridge, the master. One mate and one able seaman shall be on watch and available to assist; in the engine room, the engineering watch officer. The chief engineer shall be available to assist. During transit of the locks, all vessels of 400 gross tons or over equipped with power operated mooring deck winches shall have, in addition to the winch operators, mates or signalman at the forward and after ends of the vessel to direct operations from points providing maximum vision of both the winch operators and canal linesmen.

(2697) (2) *Linehandlers*—(i) *Cargo vessels equipped with bow thrusters and friction winches*. Two line handlers from the vessel are required on the piers under normal weather conditions. Lockmasters can ask for three persons under severe weather conditions. If a vessel is experiencing mechanical problems or in extreme severe weather situations, the lockmaster may require four vessel-supplied line handlers on the pier.

(2698) (ii) *Vessels with non-friction winches or lack of both bow and stern thrusters*. Four vessel-supplied line handlers are required on the pier at all times.

(2699) (f) *Vessel restrictions*—(1) *Speed limits*. Within the limits of the canal, vessels approaching the locks shall not navigate at a speed greater than 2½ miles per hour, and vessels leaving the locks shall not navigate at a speed greater than 6 miles per hour. Tugs assisting vessels in passing through the locks may be authorized by the District Engineer or his authorized agents to navigate at a higher speed when considered necessary to expedite canal operations.

(2700) (2) *Use of bow/stern thrusters*. Bow and/or, stern thruster use shall be kept to a minimum while transiting the Soo Locks. Thrusters shall not be used while the thrusters are opposite lock gates. They may be used sparingly for short durations within the lock to maintain the ship position near the mooring wall or in an emergency. Thrusters shall be at zero thrust during the period the ship is stopped and moored to the wall with all lines out, and during raising and lowering of pool levels within the chamber.

(2701) (g) For passage through the canal, vessels or boats owned or operated by the United States Government may be given precedence over all others.

(2702) (h) *Vessel lockage order*—(1) *Arrival*. All registered vessels will be passed through the locks in the order of their arrival at the dispatch point unless otherwise directed by the District Engineer or his authorized agents. When a vessel that has stopped on its own business is ready to proceed, it is not entitled to precedence over other vessels already dispatched.

(2703) (2) *Departure*. The following order of departure procedure will apply to vessels leaving the MacArthur Lock and Poe Lock simultaneously or at approximately the same time:

(2704) (i) The first vessel to leave will be the vessel in the lock which is ready for vessel release first. The vessel in the other lock will be restrained by the gates remaining closed and the wire rope fender remaining in the down position.

(2705) (A) On down bound passages, the vessel retained shall not leave the lock until such time as the bow of the vessel leaving first reaches the end of the East Center pier.

(2706) (B) On up bound passages, the vessel retained shall not leave the lock until such time as the bow of the vessel leaving first reaches the railroad bridge.

(2707) (ii) When a 1,000 foot vessel is ready to depart the Poe Lock and a vessel has left the MacArthur Lock already, the 1,000 foot vessel may start to leave once the bow of the other vessel reaches the end of the respective nose pier.

(2708) (iii) Vessels will remain in radio contact with each other and with the Chief Lockmaster at all times until clear of the lock area.

(2709) (iv) The need for a deviation from the procedures set forth in Paragraph (h)(2)(i) of this section will be determined on a case by case basis by the Chief Lockmaster. If two vessels masters agree to a different departure scheme, they both shall notify the Chief Lockmaster and request a change.

(2710) (i) Unless otherwise directed, all vessels or boats approaching the locks shall stop at the points indicated by signs placed on the canal piers until ordered by the District Engineer or his authorized agents to proceed into the lock.

(2711) (j) Vessels and boats shall not proceed to enter or leave a lock until the lock gates are fully in their recesses and the lockmaster has given directions for starting.

(2712) (k) Upon each passage through the canal, the master or clerk of the vessel or craft shall report to the canal office, upon the prescribed form, a statement of passengers, freight, and registered tonnage, and such other statistical information as may be required by the blank forms provided for the purpose.

(2713) (l) No business, trading, or loading or landing of freight, baggage, or passengers will be allowed on or over the canal piers or lock walls, or over the other piers within the limits of the canal grounds, except by prior authority of the District Engineer or his authorized agents.

(2714) (m) No person shall throw material of any kind into the canal, or litter the grounds with any refuse.

(2715) (n) The releasing of vessel steam, water, or waste from side discharge openings upon the piers or lock walls, the cleaning of boiler flues in the locks or canal, or the emission of dense smoke from the stack of any vessel while passing through the locks, is forbidden.

(2716) (o) No person shall enter or navigate the canal with a boat or other craft which, when entering or while navigating the canal, shall have an iron or irons projecting

from it or a rough surface or surfaces on it which would be liable to damage the lock walls or canal piers.

(2717) (p) No person shall cause or permit any vessel or boat of which he is in charge or on which he is employed to in any way obstruct the canal or delay in passing through it, except upon prior authority of the District Engineer or his authorized agents.

(2718) (q) No person shall enter upon any part of the canal grounds except as permitted, either generally or in specific instances, by the District Engineer or his authorized agents. No person shall willfully or carelessly injure, tamper with, or damage the canal or any of the Government buildings, works or structures, trees or shrubbery, or other public property pertaining to the canal or canal grounds.

(2719) (r) *Tug assist procedure*—(1) *Self-powered vessels*. Mariners are advised that often times adverse local weather conditions, i.e., high winds, current conditions and/or inclement weather, exists as vessels approach, enter and /or depart the Soo Locks. These conditions combined with close quarters slow speed maneuvering, particularly with large vessels not equipped with bow or stern thrusters, may cause control difficulties for certain classes of vessels. Therefore, any vessel requesting lockage which in the opinion of the vessel master in consultation with the pilot on board, where applicable may experience severe control problems due to the above conditions, must request assistance by one or more tugs to ensure full control over the vessel at all times. Vessels masters and pilots must consult with the lockmaster concerning local conditions well in advance of arrival at the lock to allow tug assistance to be arranged if necessary. These guidelines apply to all vessels.

(2720) (2) *Non self-powered vessels*. All barges or other vessels navigating within the canal and not operating under their own power, whether approaching or leaving the locks, are required to be assisted by one or more tugs of sufficient power to ensure full control at all times.

(2721) (s) Smoking and open flames are prohibited on the canal grounds within 50 feet of any tanker transiting the canal and locks, and on board the tanker transiting the locks except in such places as may be designated in the ship's regulations.

(2722) (t) All oil tankers, barges, and other vessels which are used for transporting inflammable liquids, either with or without cargo, shall, if not equipped with fixed timber fenders, be prevented from contacting any unfendered pier, lock wall, or other structure by an adequate number of suitable fenders of timber, rubber, or rope placed between the vessel and such unfendered structure.

(2723) (u) The locks will be opened and closed to navigation each year as provided in paragraphs (u)(1) and (2) of this section except as may be authorized by the Division Engineer. Consideration will be given to change in these dates in an emergency involving disaster to a vessel or other extraordinary circumstances.

(2724) (1) *Opening date*. At least one lock will be placed in operation for the passage of vessels on March 25. Thereafter, additional locks will be placed in operation as traffic density demands.

(2725) (2) *Closing date*. The locks will be maintained in operation only for the passage of downbound vessels departing from a Lake Superior port before midnight (2400 hours) of January 14, and of upbound vessels passing Detour before midnight (2400 hours) of January 15. Vessel owners are requested to report in advance to the Engineer in charge at Sault Ste. Marie, the name of vessel and time of departure from a Lake Superior port on January 14 before midnight, and of vessels passing Detour on January 15 before midnight, which may necessitate the continued operation of a lock to permit passage of vessel.

(2726) (v) The maximum overall dimensions of vessels that will be permitted to transit MacArthur Lock are 730 feet in length and 75 feet in width, except as provided in paragraph (v)(1) of this section. Further, any vessel of greater length than 600 feet must be equipped with deck winches adequate to safely control the vessel in the lock under all conditions including that of power failure.

(2727) (1) Whenever the Poe Lock is out of service for a period exceeding 24 hours the District Engineer may allow vessels greater than 730 feet in length, but not exceeding 767 feet in length to navigate the MacArthur Lock. Masters of vessels exceeding 730 feet in length shall be required to adhere to special handling procedures as prescribed by the District Engineer.

(2728) (w) The maximum overall dimensions of vessels that will be permitted to transit the New Poe Lock without special restrictions are 100 feet in width, including fendering, and 1,000 feet in length, including steering poles or other projections. Vessels having overall widths of over 100 feet and not over 105 feet including fendering, and overall lengths of not more than 1,100 feet, including projections, will be permitted to transit the New Poe Lock at such times as determined by the District Engineer or his authorized representative that they will not unduly delay the transit of vessels of lesser dimensions or endanger the lock structure because of wind, ice, or other adverse conditions. These vessels also will be subject to such special handling requirements as may be found necessary by the Area Engineer at time of transit. Vessels over 1,000 feet in length will be required to be equipped with six mooring cables and winches ready for use to assist in safe transit of the lock.

(2729) (x) Masters or other persons refusing to comply with the regulations in this section or any orders given in pursuance thereof, or using profane, indecent, or abusive language, may, in the discretion of the District Engineer or his authorized agents, be denied the privileges of the locks and canal grounds.

(2730)

§207.441 St. Marys Falls Canal and Locks, MI; security.

(2731) (a) *Purpose and scope of the regulations*. The regulations in this section are prescribed as protective

measures. They supplement the general regulations contained in §207.440 the provisions of which shall remain in full force and effect except as modified by this section.

(2732) (b) *Restrictions on transit of vessels*. The following classes of vessels will not be permitted to transit the United States locks or enter any of the United States approach canals:

(2733) (1)-(3) [Reserved]

(2734) (4) *Tanker vessels*—(i) *Hazardous material*. Cleaning and gas freeing of tanks on all hazardous material cargo vessels (as defined in 49 CFR part 171) shall not take place in a lock or any part of the Soo Locks approach canals from the outer end of the east center pier to the outer end of the southwest pier.

(2735) (ii) *Approaching*. Whenever a tank vessel is approaching the Soo Locks and within the limits of the lock piers (outer ends of the southwest and east center piers) either above or below the locks, no other vessel will be released from the locks in the direction of the approaching tank vessel, unless the tank vessel is certificated gas free or is carrying non-combustible products, until the tank vessel is within the lock chamber or securely moored to the approach pier. Whenever a tank vessel is within a Soo Lock Chamber, the tank vessel, unless certified gas free or is carrying non-combustible products, will not be released from the lock until the channel within the limits of the lock piers either above or below the lock, in the direction of the tank vessel, is clear of vessels or vessels therein are securely moored to the approach pier. This limits movement to a single vessel whenever a tank vessel is within the limits of the lock piers either above or below the locks, unless the tank vessel is certified gas free or is carrying non-combustible products. Tank vessels to which this paragraph (b)(4)(ii) applies include those vessels carrying fuel oil, gasoline, crude oil or other flammable liquids in bulk, including vessels that are not certified gas free where the previous cargo was one of these liquids.

(2736) (iii) *Locks park*. Except as provided in paragraph (b)(5) of this section, tankers with any type cargo will be permitted to transit the MacArthur Lock when the locks park is closed. The exact dates and times that the park is closed varies, but generally these periods are from midnight to 6 a.m. June through September with one or two hour closure extensions in the early and late seasons. Tankers carrying non-combustible products that will not react hazardously with water or tankers that have been purged of gas or hazardous fumes and certified gas free will be allowed to transit the MacArthur Lock when the park is open.

(2737) (5) *Carrying explosives*. All vessels, except U.S. vessels of war and public vessels as defined in 46 U.S.C. 2101, carrying explosives are prohibited from transiting the U.S. Locks.

(2738) (c) *Personnel restrictions*. Masters of vessels are responsible for the conduct of crew and passengers while transiting St. Marys Falls Canal and Locks and for strict compliance with the regulations. The following procedures are established for the control of persons embarking or debarking from vessels while transiting the locks:

(2739) (1) The master or mate and not more than three deckhands will be permitted to go ashore from transiting vessels and then only for normal operations and business incident to the transit. A maximum of four men will be permitted ashore at any one time from any one ship.

(2740) (2) *Personnel*—(i) *Embarking*. Personnel, including technicians, repairmen, and company officials will be permitted to embark at the locks if they are in possession of a letter addressed to the Area Engineer, St. Marys Falls Canal, Sault Ste. Marie, Michigan, from the vessel's master, the operators of the vessel, or the Lake Carriers' Association, requesting that the individual named therein be permitted to embark on a particular vessel. United States vessel personnel must also be in possession of a specially validated seaman's document issued by the United States Coast Guard. Their papers will be presented to the civilian guard on duty at the main gate on Portage Avenue who will arrange escort from the gate to the vessel. Luggage will be subject to inspection.

(2741) (ii) *Debarking*. The vessel master will furnish prior notification to the Chief Lockmaster at St. Marys Falls Canal Tower (Radio Call WUD-31) that he has vessel personnel, technicians, repairmen or company officials aboard for whom he requests authority to debark. If authority to debark is granted such personnel will be furnished a letter by the vessel master, addressed to the Area Engineer, St. Marys Falls Canal, Sault Ste. Marie, Michigan, giving the name and position of the individual concerned. Personnel will not debark until they have been properly identified by a licensed officer of the vessel and the letter furnished to the escort provided from the civilian guard detail who will escort personnel to the gate. In the event a person debarking for medical attention is a litter case, notification will be given sufficiently in advance to permit the Chief Lockmaster to route the vessel to the MacArthur Lock in order that the long carry over the lock gates may be avoided. The Area Engineer will make the necessary arrangements for clearance of ambulances and medical personnel into the lock area.

(2742) (3) No passengers or guest passengers will be permitted to embark or debark at St. Marys Falls Canal except in emergency when medical attention is required.

(2743) (4) Letters cited in paragraph (c)(2) of this section are valid only for a single passage through the lock area. In the event frequent access to the area is required a request for extended access with reasons therefor will be submitted to the Area Engineer, St. Marys Falls Canal, Sault Ste. Marie, Michigan, who may arrange for the necessary clearance.

(2744) (5) Emergency needs to embark or debark which develop with insufficient time to follow the procedure outlined in this paragraph will be approved or disapproved by the Area Engineer, St. Marys Falls Canal, Sault Ste. Marie, Michigan, according to the circumstances of the

individual case, and requests therefor should be promptly directed to him.

(2745)

§207.460 Fox River, WI

(2746) (a) *Use, administration, and navigation of the locks and canals*—(1) *Navigation*. The Fox River and Wolf River navigation seasons will commence and close as determined by the district engineer, Corps of Engineers, in charge of the locality, depending on conditions and need for lock service. Days and hours of lock operation will also be determined by the district engineer. Public notices will be issued announcing or revising the opening and closing dates and operating schedules at least 10 days in advance of such dates.

(2747) (2) *Authority of lockmaster*. The movement of all boats, vessels, tows, rafts and floating things, both powered and nonpowered, in the canals and locks, approaches to the canals, and at or near the dams, shall be subject to the direction of the lockmaster or his duly authorized representatives in charge at the locks.

(2748) (3) *Signals*. All boats approaching the locks shall signal for lockage by four distinct whistles of short duration. Locks will not be opened on such audible signal during the period when advance notice is required if the services of the lock tender are required elsewhere to meet prior requests for lockages.

(2749) (4) *Mooring in locks*. All craft being locked shall be secured to the mooring posts on the lock walls. Large craft shall use one head line and at least one spring line. Lines shall remain fastened until the signal is given by the lock tender for the craft to leave the lock.

(2750) (5) *Delays in canals*. No boat, barge, raft or other floating craft shall tie up or in any way obstruct the canals or approaches, or delay entering or leaving the locks, except by permission from proper authority. Boats wishing to tie up for some hours or days in the canals must notify the Project Engineer directly or through a lock tender, and proper orders on the case will be given. Boats so using the canals must be securely moored in the places assigned, and if not removed promptly on due notice, will be removed, as directed by the Project Engineer at the owner's expense. Boats desiring to tie up in the canals for the purpose of unloading cargoes over the canal banks must, in each case, obtain permission in advance from the District Engineer. Request for such permission shall be submitted through the Project Engineer.

(2751) (6) *Provisions for lockage service*. (i) Commercial vessels, barges, rafts and tows engaged in commerce will be provided lockages during the same period as provided for pleasure boats (see paragraph (a)(6)(iv) of this section).

(2752) (ii) Pleasure boats, powered and nonpowered, houseboats and similar craft will be provided with not more than one lockage each way through the same lock in a 24-hour period.

(2753) (iii) All small vessels or craft, such as skiffs, sculls, sailing boats, etc., shall be passed through locks in groups of not less than six at one lockage, or may be granted separate lockage if the traffic load at the time permits.

(2754) (iv) Lockage may be provided during certain hours other than announced at the intermediate locks provided prior requests are made to the Corps of Engineers, Fox River Project Office. Requests may be made either in writing, by telephone or in person to U.S. Army Corps of Engineers, Fox River Project Office, 1008 Augustine Street, Kaukauna, WI 54130, telephone: 414–766–3531.

(2755) (7) *Injury to locks or fixtures*. Vessel operators shall use great care not to strike any part of the locks or sluice walls, or any gate or appurtenance thereto, or machinery for operating the gates, or the walls protecting the banks of the canals. All boats using the canals shall be free from projecting irons or rough surfaces that would be liable to damage the locks or any part of the canals, and they must be provided with fenders to be used in guarding the lock walls, etc., from injury. Boats will not be permitted to enter or leave the locks until the lock gates are fully in the gate recesses, and the lock tender has directed the boat to proceed. No vessel shall be raced or crowded alongside another vessel, or be moved at such speed as will cause excessive swells or wash. Speed shall be kept at a minimum consistent with safe navigation.

(2756) (8) *Handling gates*. No one, unless authorized by the lock tender, shall open or close any gate, or valve, or in any way interfere with the employees in the discharge of their duties. The lock tender may call for assistance from the master of any boat using the lock should such aid be needed.

(2757) (9) *Draft of boats*. No boat shall enter a canal or lock whose actual draft exceeds the least depth of water in the channel of the canal as given by the Project Engineer.

(2758) (10) *Right-of-way*. Boats going downstream shall have the right-of-way over boats going upstream. Ordinarily, the boats or tows arriving first at any of the locks shall have precedence in passage except that those vessels which have given advance notice, when such notice is required, shall have precedence over other vessels when such notifying vessel is ready for passage. In all cases boats and barges belonging to the United States, or employed upon public works, shall have precedence over all others, and commercial passenger boats shall have precedence over tows. All boats not taking advantage of the first lawful opportunity to pass shall lose their turn. When lockage has started on tows requiring multiple lockages, all units of the tow will be locked ahead of other vessels traveling in the same direction. In the case of tows requiring two lockages, any craft awaiting lockage in the opposite direction will have priority over the second lockage of the tow.

(2759) (11) *Boats and rafts without power*. No boat or raft without power except small boats controlled by sails or oars shall be brought through the canal unless accompanied by a power operated boat.

(2760) (12) *Dumping of refuse in waterway*. No refuse or other material shall be thrown or dumped from vessels into the natural river, improved channels, canals and

locks or placed on any bank of the river or berm of the canals so that it is liable to be thrown or washed into the waterway. (Section 13 of the River and Harbor Act of March 3, 1899 (30 Stat. 1152; 33 U.S.C. 407) prohibits the depositing of any refuse matter in any navigable water or along the banks thereof where the same shall be liable to be washed into such navigable water.)

(2761) (13) *Drawing off water*. No water shall be drawn by any party or parties from any portion of the Fox River canals, or of the Fox River, including its lakes, improved channels, and unimproved channels, to such extent as to lower the water surface below the crest of that dam next below the place where such draft of water is affected.

(2762) (14) *Obstructing navigation*. Anyone who shall willfully or through carelessness in any way obstruct the free navigation of the waterway, or by violation of any of the laws or regulations governing the waterway and those using it, delay or inconvenience any boat having the right to use the waterway, shall be responsible for all damages and delays, and for all expenses for removing the obstructions. (Section 20 of the River and Harbor Act of March 3, 1899 (30 Stat. 1154; 33 U.S.C. 415), authorizes the immediate removal or destruction of any sunken vessel, craft, or similar obstruction, which impedes or endangers navigation.)

(2763) (15) [Reserved]

(2764) (16) *Trespass on U.S. property*. Trespass on waterway property or injury to the banks, locks, dams, canals, piers, fences, trees, buildings, or any other property of the United States pertaining to the waterway is strictly prohibited. No business, trading or landing of freight or baggage will be allowed on or over Government property, unless a permit or lease approved by the Secretary of the Army has been secured.

(2765) (17) *Neenah dam outlet works*. (i) During periods of high water, when determined to be necessary by the District Engineer, U.S. Army Engineer District, Chicago, to reduce the threat of flooding, it shall be the duty of the person owning, operating, or controlling the dam across the Neenah Channel of the Fox River at Neenah, WI, acting as agent of the United States, to open or close, or cause to be opened or closed, pursuant to paragraph (a)(17)(ii) of this section, the outlet works of said dam to regulate the passage of water through said outlet works.

(2766) (ii) The outlet works of said dam shall be opened when and to the extent directed by the District Engineer or his authorized field representatives, and said outlet works shall thereafter be closed when and to the extent directed by the said District Engineer or his authorized field representative.

(2767) (b) *Use of the United States drydock on Fox River at Kaukauna, WI* (1) The drydock being a part of the Fox River improvement, its use will be governed by the general regulations for the use, administration, and navigation of that river, so far as they may be applicable.

(2768) (2) The drydock at Kaukauna, when not required for repairs or construction by the United States, may be used by private parties or corporations under certain restrictions and under the supervision and direction of the United States District Engineer in charge of the locality or his authorized agent.

(2769) (3) The drydock will be loaned to private parties only when no private drydock is available at the time and for the purpose desired. Applicants will be required to establish over their signature the fact that due effort has been made to secure the use of a private drydock and none can be had.

(2770) (4) Private parties desiring to use the Kaukauna drydock will give notice to the United States Assistant Engineer in local charge at Appleton, WI, as long in advance as practicable, stating when use of the dock is wanted, nature of repairs required, and the dimensions and character of boat. No boat will enter the dock until the permission of the United States District Engineer or the Assistant Engineer above referred to has been obtained.

(2771) (5) All private parties or corporations using the Kaukauna drydock will furnish all material and labor, including blocking, when necessary, required for prompt execution of their work, and will also furnish all labor for properly operating, under the immediate personal supervision of an authorized canal employee, gates, and sluices of the drydock. No gate or sluice of the drydock will be operated, or in any way meddled with, except by permission of and under the personal supervision of such authorized canal employee.

(2772) (6) No boat will be allowed to occupy the Kaukauna drydock for a longer period than 2 days when other boats are waiting to use the dock, except in cases when, in the opinion of the United States District Engineer or his authorized agent, circumstances necessitate and justify a longer use than 2 days. The United States District Engineer or his authorized agent is authorized to remove from the drydock any boat using or occupying such dock without his authority, and the expense of such removal will be paid by the party or parties owning such boat.

(2773) (7) The wages of all mechanics and laborers, due from private parties for repairs carried on in the Kaukauna drydock, must be paid before the boat leaves the dock.

(2774) (8) Repair shop, timber shed, tools, etc., owned by the Government at and near the drydock shall not be used by parties allowed to occupy the drydock.

(2775) (9) Lumber and all material needed by parties allowed to use the drydock may be deposited in the drydock yards at such places as may be directed, but only for such time as repairs are being made, and residue must be entirely removed when the boat leaves the dock; general storage will not be permitted.

(2776) (10) All refuse and old material taken from boats under repairs must be removed or disposed of, as may be directed, by the owner of the boat or his employees without expense to the Government, and before the boat leaves the dock, and to the satisfaction of the agent in charge of the dock.

(2777) (11) The Government charges for the authorized and necessary use and occupancy of the Kaukauna drydock by private boats shall be, until further orders, as follows:

(2778) (i) Docking charges (including lay time for the calendar day on which vessel is docked): Tugs, motor boats, and dredges, 75 cents per linear foot; $25 minimum charge. Barges, dump scows, and derrick boats, 65 cents per linear foot; $20 minimum charge.

(2779) (ii) Lay-day charges (excluding Sundays and national holidays, unless repairs are made on such Sundays and holidays): For all vessels, 20 cents per linear foot per calendar day or part thereof; $7 per calendar day or part thereof, minimum charge.

(2780) (12) The charges for all use or occupancy of the Kaukauna drydock by a boat or private parties, after repairs on such boat have, in the opinion of the United States District Engineer or authorized agent, been so far completed as to permit safe removal from the dock, or after such removal has been ordered by the United States District Engineer or his authorized agent, shall be $50 per day or part of a day, in addition to any penalties incurred for violation of any of the regulations prescribed by law for the government of the dock and those using it.

(2781) (13) The dock will be considered in use by a boat from the time the dock is placed at its disposal until the boat is out of the dock.

(2782) (14) The length of all vessels shall be the over-all length measured on the main deck from stem to stern.

(2783) (15) The charges for the use of the drydock shall be paid within 10 days from date of bill, which will be submitted to the owner by the District Engineer as promptly as possible after the vessel leaves the dock. If charges are not so paid, the vessel shall be liable to the amount of the charges and the cost of collection in the manner prescribed by law, and the owner of the vessel shall be denied the use of the drydock until all charges and the cost of collection have been paid to the United States.

(2784) (16) This section supersedes the regulations for the use of this drydock approved April 10, 1906, which regulations are hereby revoked.

(2785)

§207.470 Sturgeon Bay and Lake Michigan Ship Canal, WI, use and navigation.

(2786) (a) *Authority of canal officers*. The movement of all boats and floating things in the canal and in the approaches thereto shall be under the direction of the superintendent or his authorized assistants, and their orders and instructions must be obeyed.

(2787) (b) *Signals*. On entering the canal at either entrance, steamers or tugs must blow their whistles for 1 minute in order to warn craft approaching from opposite direction and give them time to guard against collisions, by tying up if necessary. All steamers approaching others going in the opposite direction shall slacken speed so as to pass in safety. Compliance is required with rule V of the rules and regulations for government of pilots, adopted by the United States Coast Guard.

(2788) Rule V. Whenever a steamer is nearing a short bend or curve in the channel where, from the height of the banks or other cause, a steamer approaching from the opposite direction cannot be seen for a distance of half a mile, the pilot of such steamer, when he shall have arrived within half a mile of such curve or bend, shall give a signal by one long blast of the steam whistle, which signal shall be answered by a similar blast by the pilot of any approaching steamer that may be within hearing. Should such signal be so answered by a steamer upon the farther side of such bend, then the usual signals for the meeting and passing shall immediately be given and answered; but if the first alarm signal of such pilot be not answered, he is to consider the channel clear and govern himself accordingly.

(2789) (c) *Speed*. The rate of speed while passing through the canal shall not exceed 5 miles per hour.

(2790) (d) *Keeping in the center*. The center must be kept all the way through, except in passing other craft. In case of grounding, the rapid or strong working of boat's engines is strictly forbidden.

(2791) (e)-(g) [Reserved]

(2792) (h) *Rafts*. (1) The passage of bag or sack rafts, or of loose logs, into or through the canal is prohibited.

(2793) (2) Rafts shall be made up with logs parallel to each other, in the direction of raft lengths, secured and held closely together by frequent cross-sticks, chains, or cables.

(2794) (3) Rafts shall not be of greater dimensions, either way, than 50 feet wide by 600 feet long, and if longer than 300 feet shall be handled by two tugs.

(2795) (4) No raft shall pass through the canal, unless by special permission of the superintendent or his authorized assistants, who will direct a time for passing that will least interfere with other navigation.

(2796) (5) Masters of tugs and other persons in charge of rafts are required to avoid damaging the canal revetments, and displacing buoys, spars, or the pedestal of any range light aiding navigation through the canal. They shall keep careful watch when passing aids to navigation, and should any be accidentally displaced, shall report the fact at the earliest possible moment to the superintendent or his authorized assistants.

(2797) (i)-(l) [Reserved]

(2798) (m) *Refuse in canal*. No person shall roll or throw any stones, ashes, cinders, or other material into the canal or the approaches thereto, or place any such material on any bank or berm of the canal so that it is liable to be thrown or roll in.

(2799) (n)-(o) [Reserved]

(2800)

§207.476 The Inland Route—lock in Crooked River, Alanson, MI.; use, administration, and navigation.

(2801) (a) *General*. The use, administration, and navigation of the lock shall be under the direction and supervision of the District Engineer, U.S. Army Engineer District, Detroit, MI., and his authorized agents.

(2802) (b) *Authority of lockmaster*. The lockmaster shall be charged with the immediate control and management

of the lock, and of the area set aside as the lock area, including the lock approach channels. He shall see that all laws, rules, and regulations for the use of the lock and lock area are duly complied with, to which end he is authorized to give all necessary orders and directions in accordance therewith, both to the employees of the Government and to any and every person within the limits of the lock area, whether navigating the lock or not. No one shall cause any movement of any boat, craft or other floating object in the lock or approaches except by or under the direction of the lockmaster or his assistants.

(2803) (c) *Operation*. The lock operating season will commence and close as determined by the district engineers, Corps of Engineers in charge of the locality, depending on conditions and the need for lockage services. Public notices will be issued announcing the opening and closing dates at least 15 days in advance of such dates.

(2804) (d) *Maximum allowable dimensions of craft*. (1) Overall length—60 feet.

(2805) (2) Overall width—16 feet.

(2806) (3) Height above water—15 feet when upper pool is at low water datum.

(2807) (4) Draft—6 feet when lower pool is at low water datum.

(2808) (e) *Signals*. (1) Craft desiring lockage in either direction shall give notice to the lock tenders, when not farther than 200 yards from the lock, by one long blast (of 10 seconds duration) followed by one short blast (of 3 seconds duration) of whistle, horn, or siren.

(2809) (2) Craft not equipped with whistle, horn, or siren may signal for lockage by use of the signal provided for this purpose located near the extreme end of the guide wall to the starboard side of the craft, both upbound and downbound.

(2810) (f) *The procedures for transit of lock*. (1) Stand clear of the lock while the red signal light shows.

(2811) (2) When the green signal light shows and the lock horn sounds three blasts, approach and enter the lock.

(2812) (3) Full control of the craft must be maintained while entering the lock.

(2813) (4) After entrance to the lock is complete, the craft shall be securely moored to the cleats and bitts situated on the lock wall.

(2814) (5) While moored in the lock, the operator of the craft shall maintain constant attention to the mooring lines, to provide slack or retain tautness as needed.

(2815) (6) The craft shall remain securely moored until the exit lock gate is fully open and the lock horn sounds one blast.

(2816) (7) When the exit lock gate is fully open and the lock horn has sounded one blast, the craft shall immediately leave the lock under full control of its operator.

(2817) (g) *Precedence at lock*. The craft arriving first at the lock shall be first to lock through; but precedence will be given to craft belonging to the United States or to other local government entities, such as State, county, or municipality. Arrival posts may be established above and below the lock. Craft arriving at or opposite such posts or markers will be considered as having arrived at the locks within the meaning of this paragraph.

(2818)

§207.480 Lake Huron, MI.; Harbor of refuge, Harbor Beach; use and navigation.

(2819) (a) All boats, barges, and vessels entering the harbor will be required to take such positions as may be assigned them by the officer in charge, who will direct their movements, either from the breakwater or from the Government tug on the harbor.

(2820) (b) In the absence of any directions as to position, boats, barges, and vessels entering the harbor will observe the following rule: The first steam vessel, or the first steam vessel with consort in tow, on entering the harbor for shelter, will proceed to the upper end of the breakwater. All steam vessels, and all steam vessels with consorts in tow, entering later, will place themselves in a compact position close to those preceding them. Sailing craft will so locate themselves that they will not lie in the way of other vessels entering the harbor. All vessels of every description will in no way place themselves so as to interfere with the work of reconstruction of piers, or repairs, that may be in progress at the time.

(2821) (c) The use of chains in making fast to the breakwater will not be permitted. Lines must be attached to the snubbing posts only, and outboard anchors taken in.

(2822) (d) Steam craft with barges or vessels in tow will, if practicable, at once place them compactly alongside the breakwater, either taking in the towlines entirely or passing them on the breakwater so as not to interfere in any way with the landing or departure of boats or vessels between them. If impracticable to place them alongside the breakwater, they will each drop anchor and at once take in all towlines extending from one to the other.

(2823) (e) Passenger boats will, in general, have the preference as to location and attention by the officer in charge. Rafts will give way to all documented craft.

(2824) (f) All classes of boats, barges, vessels, or other floating property making fast to the breakwater must at once place such fenders between themselves and the breakwater as may be thought necessary by the officer in charge to prevent chafing or other damage.

(2825) (g) The unloading of wood, coal, ballast, stone, or freight of any class upon the breakwater is expressly prohibited, except in certain cases allowed by special permission from the officer in charge.

(2826) (h) Each and every piece of floating property made fast to the breakwater, or anchored in the harbor, must keep outboard from sunset to sunrise a conspicuous white light, and must have upon it and in immediate charge of it a watchman during the entire time such floating property is in the harbor. All colored lights must be at once taken in, or covered, on dropping anchor or making fast to the breakwater.

(2827)

§207.560 Sandusky Harbor, OH.; use, administration, and navigation.

(2828) (a)-(c) [Reserved]

(2829) (d) No vessel shall moor or anchor to any structure of the United States without the consent of the District Engineer, U.S. Army, in charge of the locality, or his authorized agent.

(2830) (e) No vessel shall moor or anchor in or along any improved channel or basin in such manner as to interfere with improvement or maintenance operations therein. Whenever in the opinion of the District Engineer any vessel is so moored or anchored, the owner thereof shall cause said vessel to be moved upon notification from and within the time specified by said District Engineer.

(2831)

§207.565 Vermilion Harbor, OH.; use, administration, and navigation.

(2832) (a)-(b) [Reserved]

(2833) (c) No vessel or other craft shall moor or anchor to any structure of the United States without the consent of the District Engineer, Corps of Engineers.

(2834) (d) No vessel or other craft shall moor or anchor in or along any improved channel or basin in such a manner as to interfere with the improvement or maintenance operations therein. Whenever in the opinion of the District Engineer any vessel or craft is so moored or anchored, the owner thereof shall cause such vessel or craft to be moved upon notification from, and within the time specified by, the District Engineer.

(2835)

§207.570 Harbors of Huron, Lorain, Cleveland, Fairport, Ashtabula, Conneaut, OH.; use, administration, and navigation.

(2836) (a)-(b) [Reserved]

(2837) (c) No vessel shall moor or anchor to any structure of the United States without the consent of the District Engineer, U.S. Army, in charge of the locality, or his authorized agent.

(2838) (d) No vessel shall moor or anchor in or along any improved channel or basin in such manner as to interfere with improvement or maintenance operations therein. Whenever in the opinion of the District Engineer any vessel is so moored or anchored, the owner thereof shall cause said vessel to be moved upon notification from and within the time specified by said District Engineer.

(2839)

§207.580 Buffalo Harbor, NY.; use, administration, and navigation.

(2840) (a)-(b) [Reserved]

(2841) (c) No vessel shall moor or anchor to any structure of the United States without the consent of the District Engineer, U.S. Army, in charge of the locality, or his authorized agent.

(2842) (d) No vessel shall moor or anchor in or along any improved channel or basin in such manner as to interfere with improvement or maintenance operations therein. Whenever in the opinion of the District Engineer any vessel is so moored or anchored, the owner thereof shall cause said vessel to be moved upon notification from and within the time specified by said District Engineer.

(2843)

§207.590 Black Rock Canal and Lock at Buffalo, NY.; use, administration and navigation.

(2844) (a) The term "canal" when used in this section will mean all of the Black Rock Waterway, including Black Rock Lock, and all of the lands, piers, buildings, and other appurtenances acquired by letters patent from the State of New York, or constructed for the use of the waterway; the southerly limit thereof being at the southerly end of Bird Island Pier, and the northerly limit being at the downstream end of the guide pier, Black Rock Lock, a length of 3.7 miles.

(2845) (b) The canal and all of its appurtenances and the use, administration and navigation thereof shall be in charge of the District Engineer, U.S. Army Engineer District, in charge of the locality, or his authorized agents.

(2846) (c) The movement of all vessels, boats, or other floating things in the canal shall be under the direction of the authorized agents of the District Engineer in charge, and their orders and instructions must be obeyed.

(2847) (d) For passage through the canal, vessels or boats belonging to the U.S. Government shall have precedence over all others.

(2848) (e) All registered vessels or boats must pass through the canal in order of their arrival at the canal limits, unless otherwise directed in accordance with this section.

(2849) (f) [Reserved]

(2850) (g) No vessel shall pass or approach within ¼-mile of a vessel bound in the same direction in the Black Rock Canal south of the Ferry Street Bridge. Tugs without tows, tugs towing a single barge under 150 feet in length, and single vessels under 150 feet in length are exempt from this paragraph.

(2851) (h) No vessel or boat shall anchor in or moor along the canal except at localities specially designated by the District Engineer or his agent; and no business, trading, or landing of freight or baggage, except such articles as may be readily carried in the hand, will be allowed on or over the canal lands or structures, without the permission of the District Engineer or his agent.

(2852) (i) No person or operator of a vessel in the Black Rock Canal, lock or approaching channels shall throw or discharge or permit to be thrown or discharged any solid material of any kind or any petroleum product of any kind into the canal, lock or appurtenant waters.

(2853) (j) All vessels and tows shall be navigated with care so as not to strike or disturb the channel buoys or channel markers. If a buoy or other channel marker is accidentally struck, damaged or displaced, the fact shall be reported immediately to the Black Rock Lock, foot of Bridge Street, Buffalo, NY, telephone 876–5454.

(2854) (k) Ferry Street Bridge: The clear headroom under the bridge at low water datum is 17.3 feet for a width of

86 feet from the pivot pier, thence decreasing to 12.3 feet at the left (westerly) abutment.

(2855) (1) All vessels and boats which cannot pass under the bridge shall, on approaching the bridge, reduce speed sufficiently to enable them to come to a dead stop, without touching the bridge, in case the movable span cannot be lifted. If the wind is dangerously strong, passage of the bridge shall not be attempted by large vessels without the aid of a tug or tugs.

(2856) (2) Vessels and boats bound north shall have the right-of-way and priority for passage through the bridge over those bound south.

(2857) (3) All vessels and boats desiring passage through the bridge shall signal therefor by one long and two short whistle blasts.

(2858) (4) Upon receiving the opening signal, the bridge operator shall answer by giving the same signal on the bridge whistle and he shall then proceed at once to lift the bridge.

(2859) (5) In case the bridge cannot be lifted, for any cause, the bridge operator shall answer a vessel signal by giving five short whistle blasts; and the vessel shall then be stopped until the bridge is ready to be lifted, when the bridge operator shall give the whistle signal for passage and the vessel may proceed.

(2860) (6) In case the bridge is disabled so that it cannot be lifted for one-half hour or more pending repairs, red flags will be displayed on the bridge in daytime and two red lantern lights, one above the other, at night; and when such signals are displayed no vessel or boat shall signal for or attempt passage through the bridge.

(2861) (l) *Radio Control of vessel movement in Black Rock Canal.* (1) The movement of vessels in the Black Rock Canal will be controlled by radio communication between the Black Rock Lock and the vessels desiring to use the canal. Vessels will not be permitted to meet or pass in the channel of restricted width between the southerly end of Bird Island (approximately 3,500 feet northerly along the canal from the North Breakwater South End Light) and the International Railway Bridge near the southerly entrance to the Black Rock Lock. Vessels less than 150 feet in length and tugs towing a single barge under 150 feet in length are not to be included in this special condition. In addition to the control of vessel movements in the restricted section of the canal, radio communications will also be utilized to facilitate the passage of vessels through the entire canal and the Black Rock Lock.

(2862) (2) Radio communication will be the only means of control of vessel traffic in the canal in order to prevent a meeting or passing of vessels in the restricted area, and therefore it is mandatory that all vessels over 150 feet in length and tugs towing a barge or barges over 150 feet in combined length of tow be equipped with radio communication equipment operating on designated frequencies. Any vessel lacking such equipment will not be permitted to enter the canal unless arrangements are made with the Black Rock Lock by land telephone to 876–5454 or marine ship-to-shore facilities immediately before entering the canal.

(2863) (3) The Black Rock Lock radio communications equipment operates on VHF(FM) frequencies as follows: VHF–156.8 MHz–Channel 16–Safety and Calling, VHF–156.7 MHz–Channel 14–Working; VHF–156.6 MHz–Channel 12–Working. A listening watch is maintained on VHF Channel 16.

(2864) (4) In order that positive control may be maintained it is mandatory that the following procedures be followed in communicating by radio with the Black Rock Lock:

(2865) (i) Vessels desiring to enter the Black Rock Canal from either the Buffalo Outer Harbor or the Buffalo River shall call the Black Rock Lock on VHF Channel 16 or by land telephone approximately 15 minutes before the estimated time of arrival at Buffalo Harbor Traffic Lighted Bell Buoy 1 located at latitude N. 42°50.1' and longitude W. 78°55.4'. Information to be furnished the Black Rock Lock Operator should include the name of the vessel, position, destination, length, draft (forward and aft), and the type of cargo. A second call shall be made to the lock when the vessel is abreast of the Buffalo Harbor Light on the southerly end of the detached West Breakwater. Information furnished the vessel by the Lock Operator will assure the vessel operator of the proper time to enter the Black Rock Canal with a view to safety and minimum delay.

(2866) (ii) Vessels desiring to enter the Black Rock Canal from either the Buffalo Outer Harbor or the Buffalo River shall call the Black Rock Lock on VHF Channel 16 or by land telephone to 876–5454 immediately before departing a dock and again when abreast of the North Breakwater South End Light on the southerly end of the North Breakwater.

(2867) (iii) In any radio communication from a vessel to the Black Rock Lock, the VHF(FM) frequencies will be utilized.

(2868) (iv) In any radio communication from a vessel to the Black Rock Lock, the VHF(FM) frequencies will be utilized if available in preference to the MF(AM) frequencies.

(2869) (v) When an initial radio contact has been made with the Black Rock Lock the vessel entering the canal shall maintain a standby watch at the radio until the passage through the canal and lock is completed.

(2870) (vi) Failure to comply with the foregoing procedures could result in considerable delay to a vessel and possibly in a collision between vessels in the restricted section of the canal.

(2871) (m) *Black Rock Lock.* All vessels and boats desiring to use the lock shall signal by two long and two short whistle blasts.

(2872) (1) Northbound vessels and boats shall not be brought to within less than 300 feet of the upper lock gates, nor shall southbound vessels be brought to within less than 200 feet of the lower lock gates, until the lock is made ready and the lockmaster in charge signals the vessel to enter the lock.

(2873) (2) Vessels and boats shall not moor to the approach walls of the lock at either end, for any other purpose than waiting for lockage, except by direction or permission of the lockmaster.

(2874) (3) Commercial vessels will receive preference in passage through the locks. Small vessels such as row, sail, and motor boats, bent on pleasure only, will be passed through the lock in company with commercial vessels when small vessels can be safely accommodated or in the absence of commercial vessels may be passed through the lock individually or together in one lockage on the hour if northbound, and on the half hour if southbound. However, commercial vessels will receive preference which could delay the passage of pleasure craft. Pleasure craft will not be permitted to pass through the lock with vessels carrying inflammable cargo. Vessels and other large boats when in the lock shall fasten one head line and one spring line to the snubbing posts on the lock walls, and the lines shall not be cast off until the signal is given by the lockmaster for the boats to leave the lock.

(2875) (4) Vessels and boats will be passed through the lock in order of their arrival except that the lockmaster may order a small vessel to lock through in company with another vessel, irrespective of the former's order of arrival.

(2876) (5) All vessels and boats shall be maneuvered with great care so as not to strike any part of the lock walls, or any gate or appurtenance thereto, or machinery for operating the gates, or the walls protecting the lock approaches.

(2877) (6) Vessels and boats shall not enter or leave until the lock gates are fully in their recesses, and the lockmaster has given direction for starting.

(2878) (7) [Reserved]

(2879) (8) Trespass on lock property is strictly prohibited. However, in that portion of the Black Rock Canal lying between the International Railway Bridge and the northerly end of the westerly lower guide pier, the following conditions shall apply to the embarking or disembarking of crew members or passengers of a vessel transiting the lock:

(2880) (i) Only the master or mate and two or three linesmen will be permitted to go ashore from transiting vessels and then only for normal operations and business incident to the transit. A maximum of only four (4) men will be permitted to go ashore from any one ship.

(2881) (ii) No crew members will be permitted to board a ship at the locks unless previously requested in writing by the master or owners, and approved by canal authorities.

(2882) (iii) No crew member may leave a ship while it is in transit in the lock or canal unless certified in advance as an emergency by the vessel master and approved by canal authorities.

(2883) (iv) No guest passengers will be permitted to either board or disembark at the canal or locks.

(2884) (9) Schedule of Seasonal Operation:

(2885) (i) March 23 through June 14–6 a.m. to 11 p.m., daily.

(2886) (ii) June 15 through September 6–24 hours, daily.

(2887) (iii) September 7 through November 30–6 a.m. to 11 p.m., daily.

(2888) (iv) December 1 through March 22—8 a.m. to 4:30 p.m., daily. During the navigation season the hours may be extended by the district engineer, depending on conditions and the need for lockage service. Public notices will be issued announcing the opening and closing dates at least 10 days in advance of such dates.

(2889) (10) *Non-operational hours lockings*. In addition to the above schedule of operating hours, commercial vessels may be locked through during non-operational hours with prior arrangements made through the U.S. Army Engineer District Buffalo. Requests for non-operational hours lockings shall be made at least 24 hours in advance by calling (716) 876–5454, extension 2284 or by radio as described in paragraph (1) of this section, Monday through Friday, 9 a.m. to 4 p.m., except holidays. Requests shall include the approximate time of arrival and the name and call letters of the vessel or, if the vessel is not equipped to receive radio messages, a telephone number at which messages may be received for the vessel. If a requested lockage must be delayed, prompt notification shall be given by telephone or radio.

(2890)

§207.600 Rochester (Charlotte) Harbor, NY.; use, administration, and navigation.

(2891) (a)-(b) [Reserved]

(2892) (c) No vessel shall moor or anchor to any structure of the United States without the consent of the District Engineer, U.S. Army, in charge of the locality, or his authorized agent.

(2893) (d) No vessel shall moor or anchor in or along any improved channel or basin in such manner as to interfere with improvement or maintenance operations therein. Whenever in the opinion of the District Engineer any vessel is so moored or anchored, the owner thereof shall cause said vessel to be moved upon notification from and within the time specified by said District Engineer.

(2894)

§207.610 St. Lawrence River, Cape Vincent Harbor, NY.; use, administration, and navigation of the harbor and U.S. breakwater.

(2895) (a)-(c) [Reserved]

(2896) (d) Vessels shall observe the following rule in mooring to the breakwater: The first self-propelled vessel stopping at the harbor for shelter will proceed to the upstream end of the breakwater and moor along either side of it. All similar vessels entering later will place themselves in a compact position close to those preceding them. Passenger vessels will, in general, have preference as to location of moorage. Sailing craft will so locate themselves that they will not lie in the way of other vessels entering the harbor. All vessels of every description will place themselves so as not to interfere with any work of reconstruction or repair that may be in progress at the time.

(2897) (e) The use of chains in making fast to the breakwater is prohibited. Lines must be attached to the snubbing posts only, and outboard anchors taken in.

(2898) (f) Vessels with other craft in tow will, if practicable, at once, moor them compactly along the breakwater, either taking in the towlines or placing the slack in them upon the breakwater in such a manner as not to interfere with other vessels. If necessary to moor alongside of other vessels moored to the breakwater, the towlines shall be taken in or disposed of in such a manner as not to interfere with the departure of vessels moored between them and the breakwater.

(2899) (g) Vessels of every description mooring to the breakwater, must place suitable fenders between themselves and the breakwater to protect the timber walings on the breakwater from damage.

(2900) (h) The unloading of freight of any class upon the breakwater is expressly prohibited, except in accordance with special permission from the said District Engineer or his representative.

(2901) (i) Each and every vessel made fast to the breakwater, or anchored in the harbor without a line made fast to the shore or shore dock, must have at least one experienced person upon it during the entire time said vessel is thus moored in the harbor.

(2902)

§207.800 Collection of navigation statistics.

(2903) (a) *Definitions*. For the purpose of this regulation the following terms are defined:

(2904) (1) *Navigable waters of the United States* means those waters of the United States that are subject to the ebb and flow of the tide shoreward to the mean high water mark, and/or are presently used, or have been used in the past, or may be susceptible to use to transport interstate or foreign commerce. (See 33 CFR part 329 for a more complete definition of this term.)

(2905) (2) *Offenses and Violations* mean:

(2906) (i) Failure to submit a required report.

(2907) (ii) Failure to provide a timely, accurate, and complete report.

(2908) (iii) Failure to submit monthly listings of idle vessels or vessels in transit.

(2909) (iv) Failure to submit a report required by the lockmaster or canal operator.

(2910) (3) *Leased or chartered vessel* means a vessel that is leased or chartered when the owner relinquishes control of the vessel through a contractual agreement with a second party for a specified period of time and/or for a specified remuneration from the lessee. Commercial movements on an affreightment basis are not considered a lease or charter of a particular vessel.

(2911) (4) *Person* or *entity* means an individual, corporation, partnership, or company.

(2912) (5) *Timely* means vessel and commodity movement data must be received by the Waterborne Commerce Statistics Center within 30 days after the close of the month in which the vessel movement or nonmovement takes place.

(2913) (6) *Commercial vessel* means a vessel used in transporting by water, either merchandise or passengers for compensation or hire, or in the course of business of the owner, lessee, or operator of the vessel.

(2914) (7) *Reporting situation* means a vessel movement by an operator that is required to be reported. Typical examples are listed in the instructions on the various ENG Forms. Five typical movements that are required to be reported by vessel operating companies include the following examples: Company A is the barge owner, and the barge transports corn from Minneapolis, MN to New Orleans, LA, with fleeting at Cairo, IL.

(2915) (i) *Lease/Charter*: If Company A leases or charters the barge to Company B, then Company B is responsible for reporting the movements of the barge until the lease/charter expires.

(2916) (ii) *Interline movement*: A barge is towed from Minneapolis to Cairo by Company A, and from Cairo to New Orleans by Company B. Since Company A is the barge owner, and the barge is not leased. Company A reports the entire movement of the barge with an origin of Minneapolis and a destination of New Orleans.

(2917) (iii) *Vessel swap/trade*: Company A swaps barge with Company B to allow Company B to meet a delivery commitment to New Orleans. Since Company A has not leased/chartered the barge, Company A is responsible for filing the report. Company B is responsible for filing the report on the barge which is traded to Company A. The swap or trade will not affect the primary responsibility for reporting the individual vessel movements.

(2918) (iv) *Re-Consignment*: Barge is reconsigned to Mobile, AL. Company A reports the movements as originating in Minneapolis and terminating in Mobile. The point from which barge is reconsigned is not reported, only points of loading and unloading.

(2919) (v) *Fleeting*: Barge is deposited at a New Orleans fleeting area by Company A and towed by Company B from fleeting area to New Orleans area dock for unloading. Company A, as barge owner, reports entire movements from Minneapolis to the unloading dock in New Orleans. Company B does not report any barge movement.

(2920) (b) Implementation of the waterborne commerce statistics provisions of the River and Harbor Act of 1922, as amended by the Water Resources Development Act of 1986 (Pub. L. 99-662), mandates the following.

(2921) (1) *Filing requirements*. Except as provided in paragraph (b)(2) of this section, the person or entity receiving remuneration for the movement of vessels or for the transportation of goods or passengers on the navigable waters is responsible for assuring that the activity report of commercial vessels is timely filed.

(2922) (i) For vessels under lease/charter agreements, the lessee or charterer of any commercial vessel engaged in commercial transportation will be responsible for the filing of said reports until the lease/charter expires.

(2923) (ii) The vessel owner, or his designated agent, is always the responsible party for ensuring that all commercial activity of the vessel is timely reported.

(2924) (2) The following Vessel Information Reports are to be filed with the Army Corps of Engineers, at the address specified on the ENG Form, and are to include:

(2925) (i) *Monthly Reports*. These reports shall be made on ENG Forms furnished upon written request of the vessel operating companies to the Army Corps of Engineers. The forms are available at the following address: U.S. Army Corps of Engineers, Waterborne Commerce Statistics Center, Post Office Box 62180, New Orleans, Louisiana 70161-1280.

(2926) (A) All movements of domestic waterborne commercial vessels shall be reported, including but not limited to: Dry cargo ship and tanker moves, loaded and empty barge moves, towboat moves, with or without barges in tow, fishing vessels, movements of crew boats and supply boats to offshore locations, tugboat moves and movements of newly constructed vessels from the shipyard to the point of delivery.

(2927) (B) Vessels idle during the month must also be reported.

(2928) (C) Notwithstanding the above requirements, the following waterborne vessel movements need not be reported:

(2929) (1) Movements of recreational vessels.

(2930) (2) Movements of fire, police, and patrol vessels.

(2931) (3) Movements of vessels exclusively engaged in construction (e.g., piledrivers and crane barges). Note: however, that movements of supplies, materials, and crews to or from the construction site must be timely reported.

(2932) (4) Movements of dredges to or from the dredging site. However, vessel movements of dredged material from the dredging site to the disposal site must be reported.

(2933) (5) Specific movements granted exemption in writing by the Waterborne Commerce Statistics Center.

(2934) (D) ENG Forms 3925 and 3925b shall be completed and filed by vessel operating companies each month for all voyages or vessel movements completed during the month. Vessels that did not complete a move during the month shall be reported as idle or in transit.

(2935) (E) The vessel operating company may request a waiver from the Army Corps of Engineers, and upon written approval by the Waterborne Commerce Center, the company may be allowed to provide the requisite information of the above paragraph (D), on computer printouts, magnetic tape, diskettes, or alternate medium approved by the Center.

(2936) (F) Harbor Maintenance Tax information is required on ENG Form 3925 for cargo movements into or out of ports that are subject to the provisions of section 1402 of the Water Resources Development Act of 1986 (Pub. L. 99-662).

(2937) (1) The name of the shipper of the commodity, and the shipper's Internal Revenue Service number or Social Security number, must be reported on the form.

(2938) (2) If a specific exemption applies to the shipper, the shipper should list the appropriate exemption code. The specific exemption codes are listed in the directions for ENG Form 3925.

(2939) (3) Refer to 19 CFR part 24 for detailed information on exemptions and ports subject to the Harbor Maintenance Tax.

(2940) (ii) *Annual reports*. Annually an inventory of vessels available for commercial carriage of domestic commerce and vessel characteristics must be filed on ENG Forms 3931 and 3932.

(2941) (iii) *Transaction reports*. The sale, charter, or lease of vessels to other companies must also be reported to assure that proper decisions are made regarding each company's duty for reporting vessel movements during the year. In the absence of notification of the transaction, the former company of record remains responsible until proper notice is received by the Corps.

(2942) (iv) *Reports to lockmasters and canal operators*. Masters of self-propelled non-recreational vessels which pass through locks and canals operated by the Army Corps of Engineers will provide the data specified on ENG Forms 3102b, 3102c, and/or 3102d to the lockmaster, canal operator, or his designated representative in the manner and detail dictated.

(2943) (c) *Penalties for noncompliance*. The following penalties for noncompliance can be assessed for offenses and violations.

(2944) (1) *Criminal penalties*. Every person or persons violating the provisions of this regulation shall, for each and every offenses, be liable to a fine of not more than $5,000, or imprisonment not exceeding two months, to be enforced in any district court in the United States within whose territorial jurisdiction such offense may have been committed.

(2945) (2) *Civil penalties*. In addition, any person or entity that fails to provide timely, accurate, and complete statements or reports required to be submitted by this regulation may also be assessed a civil penalty of up to $2,500 per violation under 33 U.S.C. 555, as amended.

(2946) (3) *Denial of passage*. In addition to these fines, penalties, and imprisonments, the lockmaster or canal operator can refuse to allow vessel passage.

(2947) (d) *Enforcement policy*. Every means at the disposal of the Army Corps of Engineers will be utilized to monitor and enforce these regulations.

(2948) (1) To identify vessel operating companies that should be reporting waterborne commerce data, The Corps will make use of, but is not limited to, the following sources.

(2949) (i) Data on purchase and sale of vessels.

(2950) (ii) U.S. Coast Guard vessel documentation and reports.

(2951) (iii) Data collected at Locks, Canals, and other facilities operated by the Corps.

(2952) (iv) Data provided by terminals on ENG Form 3926.

(2953) (v) Data provided by the other Federal agencies including the Internal Revenue Service, Customs Service, Maritime Administration, Department of Transportation, and Department of Commerce.

(2954) (vi) Data provided by ports, local facilities, and State or local governments.

(2955) (vii) Data from trade journals and publications.

(2956) (viii) Site visits and inspections.

(2957) (2) *Notice of violation*. Once a reporting violation is determined to have occurred, the Chief of the Waterborne Commerce Statistics Center will notify the responsible party and allow 30 days for the reports to be filed after the fact. If the reports are not filed within this 30-day notice period, then appropriate civil or criminal actions will be undertaken by the Army Corps of Engineers, including the proposal of civil or criminal penalties for noncompliance. Typical cases for criminal or civil action include, but are not limited to, those violations which are willful, repeated, or have a substantial impact in the opinion of the Chief of the Waterborne Commerce Statistics Center.

(2958) (3) *Administrative assessment of civil penalties*. Civil penalties may be assessed in the following manner.

(2959) (i) *Authorization*. If the Chief of the Waterborne Commerce Statistics Center finds that a person or entity has failed to comply with any of the provisions specified herein, he is authorized to assess a civil penalty in accordance with the Class I penalty provisions of 33 CFR part 326. Provided, however, that the procedures in 33 CFR part 326 specifically implementing the Clean Water Act (33 U.S.C. 1319(g)(4)), public notice, comment period, and state coordination, shall not apply.

(2960) (ii) *Initiation*. The Chief of the Waterborne Commerce Statistics Center will prepare and process a proposed civil penalty order which shall state the amount of the penalty to be assessed, described by reasonable specificity the nature of the violation, and indicate the applicable provisions of 33 CFR part 326.

(2961) (iii) *Hearing requests*. Recipients of a proposed civil penalty order may file a written request for a hearing or other proceeding. This request shall be as specified in 33 CFR part 326 and shall be addressed to the Director of the Water Resources Support Center, Casey Building, Fort Belvoir, VA 22060-5586, who will provide the requesting person or entity with a reasonable opportunity to present evidence regarding the issuance, modification, or revocation of the proposed order. Thereafter, the Director of the Water Resources Center shall issue a final order.

(2962) (4) *Additional remedies*. Appropriate cases may also be referred to the local U.S. Attorney for prosecution, penalty collection, injunctive, and other relief by the Chief of the Waterborne Commerce Statistics Center.

(2963)

Part 334–Danger Zones and Restricted Area Regulations

(2964)

§334.1 Purpose.

(2965) The purpose of this part is to:

(2966) (a) Prescribe procedures for establishing, amending and disestablishing danger zones and restricted area;

(2967) (b) List the specific danger zones and restricted areas and their boundaries; and

(2968) (c) Prescribe specific requirements, access limitations and controlled activities within the danger zones and restricted areas.

(2969)

§334.2 Definitions.

(2970) (a) *Danger zone*. A defined water area (or areas) used for target practice, bombing, rocket firing or other especially hazardous operations, normally for the armed forces. The danger zones may be closed to the public on a full-time or intermittent basis, as stated in the regulations.

(2971) (b) *Restricted area*. A defined water area for the purpose of prohibiting or limiting public access to the area. Restricted areas generally provide security for Government property and/or protection to the public from the risks of damage or injury arising from the Government's use of that area.

(2972)

§334.3 Special policies.

(2973) (a) *General*. The general regulatory policies stated in 33 CFR part 320 will be followed as appropriate. In addition, danger zone and restricted area regulations shall provide for public access to the area to the maximum extent practicable.

(2974) (b) *Food fishing industry*. The authority to prescribe danger zone and restricted area regulations must be exercised so as not to unreasonably interfere with or restrict the food fishing industry. Whenever the proposed establishment of a danger zone or restricted area may affect fishing operations, the District Engineer will consult with the Regional Director, U.S. Fish and Wildlife Service, Department of the Interior and the Regional Director, National Marine Fisheries Service, National Oceanic and Atmospheric Administration (NOAA).

(2975) (c) *Temporary, occasional or intermittent use*. If the use of the water area is desired for a short period of time, not exceed thirty days in duration, and that planned operations can be conducted safely without imposing unreasonable restrictions on navigation, and without promulgating restricted area regulations in accordance with the regulations in this section, applicants may be informed that formal regulations are not required. Activities of this type shall not reoccur more often than biennially (every other year), unless danger zone/restricted area rules are promulgated under this Part. Proper notices for mariners requesting that vessels avoid

the area will be issued by the Agency requesting such use of the water area, or if appropriate, by the District Engineer, to all known interested persons. Copies will also be sent to appropriate State agencies, the Commandant, U.S. Coast Guard, Washington, DC 20590, and Director, National Geospatial-Intelligence Agency, Hydrographic Center, Washington, DC 20390, ATTN: Code NS 12. Notification to all parties and Agencies shall be made at least two weeks prior to the planned event, or earlier, if required for distribution of Local Notice to Mariners by the Coast Guard.

(2976)

§334.4 Establishment and amendment procedures.

(2977) (a) *Application*. Any request for the establishment, amendment or revocation of a danger zone or restricted area must contain sufficient information for the District Engineer to issue a public notice, and as a minimum must contain the following:

(2978) (1) Name, address and telephone number of requestor including the identity of the command and DoD facility and the identity of a point of contact with phone number.

(2979) (2) Name of waterway and if a small tributary, the name of a larger connecting waterbody.

(2980) (3) Name of closest city or town, county/parish and state.

(2981) (4) Location of proposed or existing danger zone or restricted area with a map showing the location, if possible.

(2982) (5) A brief statement of the need for the area, its intended use and detailed description of the times, dates and extent of restriction.

(2983) (b) *Public notice*. (1) The Corps will normally publish public notices and **Federal Register** documents concurrently. Upon receipt of a request for the establishment, amendment or revocation of a danger zone or restricted area, the District Engineer should forward a copy of the request with his/her recommendation, a copy of the draft public notice and a draft **Federal Register** document to the Office of the Chief of Engineers, ATTN: CECW-OR. The Chief of Engineers will publish the proposal in the **Federal Register** concurrent with the public notice issued by the District Engineer.

(2984) (2) *Content*. The public notice and **Federal Register** documents must include sufficient information to give a clear understanding of the proposed action and should include the following items of information:

(2985) (i) Applicable statutory authority or authorities; (40 Stat. 266; 33 U.S.C. 1) and (40 Stat. 892; 33 U.S.C. 3)

(2986) (ii) A reasonable comment period. The public notice should fix a limiting date within which comments will be received, normally a period not less than 30 days after publication of the notice.

(2987) (iii) The address of the District Engineer as the recipient of any comments received.

(2988) (iv) The identity of the applicant/proponent;

(2989) (v) The name or title, address and telephone number of the Corps employee from whom additional information concerning the proposal may be obtained;

(2990) (vi) The location of the proposed activity accompanied by a map of sufficient detail to show the boundaries of the area(s) and its relationship to the surrounding area.

(2991) (3) *Distribution*. Public notice will be distributed in accordance with 33 CFR 325.3(d)(1). In addition to this general distribution, public notices will be sent to the following Agencies:

(2992) (i) The Federal Aviation Administration (FAA) where the use of airspace is involved.

(2993) (ii) The Commander, Service Force, U.S. Atlantic Fleet, if a proposed action involves a danger zone off the U.S. Atlantic coast.

(2994) (iii) Proposed danger zones on the U.S. Pacific coast must be coordinated with the applicable commands as follows:

(2995) Alaska, Oregon and Washington:

(2996) Commander, Naval Base, Seattle

(2997) California:

(2998) Commander, Naval Base, San Diego

(2999) Hawaii and Trust Territories:

(3000) Commander, Naval Base, Pearl Harbor

(3001) (c) *Public hearing*. The District Engineer may conduct a public hearing in accordance with 33 CFR part 327.

(3002) (d) *Environmental documentation*. The District Engineer shall prepare environmental documentation in accordance with appendix B to 33 CFR part 325.

(3003) (e) *District Engineer's recommendation*. After closure of the comment period, and upon completion of the District Engineer's review he/she shall forward the case through channels to the Office of the Chief of Engineers, ATTN: CECW-OR with a recommendation of whether or not the danger zone or restricted area regulation should be promulgated. The District Engineer shall include a copy of environmental documentation prepared in accordance with appendix B to 33 CFR part 325, the record of any public hearings, if held, a summary of any comments received and a response thereto, and a draft of the regulation as it is to appear in the **Federal Register.**

(3004) (f) *Final decision*. The Chief of Engineers will notify the District Engineer of the final decision to either approve or disapprove the regulations. The District Engineer will notify the applicant/proponent and publish a public notice of the final decision. Concurrent with issuance of the public notice the Office of the Chief of Engineers will publish the final decision in the **Federal Register** and either withdraw the proposed regulation or issue the final regulation as appropriate. The final rule shall become effective no sooner than 30 days after publication in the **Federal Register** unless the Chief of Engineers finds that sufficient cause exists and publishes that rationale with the regulations.

(3005)

§334.5 Disestablishment of a danger zone.

(3006) (a) Upon receipt of a request from any agency for the disestablishment of a danger zone, the District Engineer shall notify that agency of its responsibility for returning the area to a condition suitable for use by the public. The agency must either certify that it has not used the area for a purpose that requires cleanup or that it has removed all hazardous materials and munitions, before the Corps will disestablish the area. The agency will remain responsible for the enforcement of the danger zone regulations to prevent unauthorized entry into the area until the area is deemed safe for use by the public and the area is disestablished by the Corps.

(3007) (b) Upon receipt of the certification required in paragraph (a) of this section, the District shall forward the request for disestablishment of the danger zone through channels to CECW-OR, with its recommendations. Notice of proposed rulemaking and public procedures as outlined in §334.4 are not normally required before publication of the final rule revoking a restricted area or danger zone regulation. The disestablishment/revocation of the danger zone or restricted area regulation removes a restriction on a waterway.

(3008)

§334.6 Datum.

(3009) (a) Geographic coordinates expressed in terms of latitude or longitude, or both, are not intended for plotting on maps or charts whose reference horizontal datum is the North American Datum of 1983 (NAD 83), unless such geographic coordinates are expressly labeled NAD 83. Geographic coordinates without the NAD 83 reference may be plotted on maps or charts referenced to NAD 83 only after application of the appropriate corrections that are published on the particular map or chart being used.

(3010) (b) For further information on NAD 83 and National Ocean Service nautical charts please contact: Director, Coast Survey (N/CG2), National Ocean Service, NOAA, 1315 East-West Highway, Station 6147, Silver Spring, MD 20910-3282.

(3011)

§334.815 Menominee River, at the Marinette Marine Corporation Shipyard, Marinette, Wisconsin; Naval Restricted Area.

(3012) (a) *The area*. The waters adjacent to Marinette Marine Corporation's pier defined by a rectangular shape on the south side of the river beginning on shore at the eastern property line of Marinette Marine Corporation at latitude 45°05′58.70"N., longitude 87°36′55.90"W.; thence northerly to latitude 45°05′59.72"N., longitude 87°36′55.61"W.; thence westerly to latitude 45°06′03.22"N., longitude 87°37′09.75"W.; thence westerly to latitude 45°06′03.78"N., longitude 87°37′16.40"W.' thence southerly to latitude 45°06′2.80"N., longitude 87°37′16.56"W.; thence easterly along the Marinette Marine Corporation pier to the point of origin. The datum for these geographic coordinates is the World Geodetic System 1984 (WGS 84). The restricted area will be marked by a lighted and signed floating buoy line.

(3013) (b) *The regulation*. All persons, swimmers, vessels and other craft, except those vessels under the supervision or contract to local military or Naval authority, vessels of the United States Coast Guard, and local or state law enforcement vessels, are prohibited from entering the restricted area when marked by signed floating buoy line without permission from the Supervisor of Shipbuilding, Conversion and Repair, USN, Bath, ME or his/her authorized representative.

(3014) (c) *Enforcement*. The regulation in this section shall be enforced by the Supervisor of Shipbuilding, Conversion and Repair, USN, Bath, ME and/or such agencies or persons as he/she may designate.

(3015) (d) *Disestablishment of restricted area*. The restricted area will be disestablished not later than November 17, 2025, unless written application for its continuance is made to and approved by the Secretary of the Army prior to that date.

(3016)

§334.820 Lake Michigan; naval restricted area, U.S. Naval Training Center, Great Lakes, IL.

(3017) (a) *The area*. An area extending in a north and south direction from the Great Lakes, Illinois, south breakwater to an east-west line projecting eastward from the shore termination of the north fence of the United States Naval Training Center, Great Lakes, Illinois, and extending into Lake Michigan for a distance of one mile from the shoreline.

(3018) (b) *The regulations*. No person or vessel of any kind, except those engaged in naval operations, shall enter, navigate, anchor, or moor in the restricted area without first obtaining permission to do so from the Commander, U.S. Naval Training Center, Great Lakes, Illinois, or his authorized representative.

(3019)

§334.830 Lake Michigan; small-arms range adjacent to United States Naval Training Center, Great Lakes, IL.

(3020) (a) *The danger zone*. An area bounded on the north by latitude 42°20'30"; on the east by longitude 87°47'30"; on the south by latitude 42°18'45"; and on the west by the shoreline.

(3021) (b) *The regulations*. (1) When firing affecting the danger zone is in progress, the enforcing agency will post guards at such locations that the waters in the danger zone may be observed and arrange signals whereby these guards may stop the firing should any person or vessel be seen in the waters of the danger zone. When firing is in progress, the enforcing agency will cause red flags to be displayed on shore near the rifle butts, which may be readily discernible to a person in a vessel within the danger zone.

(3022) (2) The enforcing agency is hereby authorized to use such agencies as shall be necessary to prohibit all persons

and vessels from entering the area until such time as shall be convenient.

(3023) (3) If such flags are displayed it will indicate that firing is in progress, and that the waters in the danger zone are subject to impact by rounds missing or ricocheting off the impact berm and should not be entered until the flags are lowered.

(3024) (4) Wherever possible, the enforcing agency will warn the public of the contemplated times of firing and the areas involved two days in advance of the scheduled date, through the public press and the United States Coast Guard. The danger zone may, however, be closed without advance notice.

(3025) (5) [Reserved]

(3026) (6) The regulations in this section shall be enforced by the Commander, United States Naval Training Center, Great Lakes, Illinois, and such agencies as he may designate.

(3027)

§334.840 Waters of Lake Michigan south of Northerly Island at entrance to Burnham Park Yacht Harbor, Chicago, Illinois; danger zone adjacent to airport on Northerly Island.

(3028) (a) *Danger Zone*—(1) *Zone A*. Beginning at a point 250 feet west of the center line of the runway at the south end of the air strip on Northerly Island; thence 183°, 500 feet; thence 90°, 600 feet; and thence northerly to a point 250 feet east of the center line of the runway at the south end of said air strip. During the navigation season, the southeast and southwest corners of Zone A will be marked with spar buoys colored and lettered as prescribed by the U.S. Coast Guard.

(3029) (2) *Zone B*. Beginning at the southwest corner of Zone A; thence 183°, 500 feet; thence 90°, 700 feet; thence northerly to the southeast corner of Zone A; and thence 270° to the point of beginning. During the navigation season, the southeast and southwest corners of Zone B will be marked with spar buoys colored and lettered as prescribed by the U.S. Coast Guard.

(3030) (b) *Regulations*. (1) During daylight hours (from one-half hour before sunrise to one-half hour after sunset), and when the airport on Northerly Island is in operation, no vessel or other watercraft any part of which extends more than 15 feet above the water surface shall enter or remain in Zone A, and no vessel or other watercraft any part of which extends 30 feet or more above the water surface shall enter or remain in Zone B.

(3031) (2) When the airport is in operation a red ball, at least three feet in diameter, shall be continuously displayed at the northeast and northwest corners of Zone A. These balls shall not be displayed when the airport is not in operation.

(3032)

§334.845 Wisconsin Air National Guard, Volk Field military exercise area located in Lake Michigan offshore from Manitowoc and Sheboygan Counties; Danger Zone.

(3033) (a) *The area*. (1) The waters within an area beginning at a point at

(3034) 43°19'00"N., 87°41'00"W.; to

(3035) 44°05'30"N., 87°29'45"W.; to

(3036) 44°02'00"N., 87°02'30"W.; to

(3037) 43°15'30"N., 87°14'00"W.; thence to the point of beginning, as shown on NOAA Chart 14901 (1999) and existing aeronautical charts.

(3038) (b) *The regulation*. (1) During specific, infrequent periods when Military exercises will be conducted, as promulgated in the Local Notice to mariners published by the United States Coast Guard (USCG), all vessels entering the danger zone are advised to proceed across the area by the most direct route and without unnecessary delay.

(3039) (2) During specific, infrequent periods when Military exercises will be conducted, as promulgated in the Local Notice to mariners published by the USCG, no vessel or craft of any size shall lie-to or anchor in the danger zone, other than a vessel operated by or for the USCG, or any other authorized agency.

(3040) (c) *Normal use*. At all other times, nothing in this regulation shall prohibit any lawful uses of this area.

(3041) (d) *Enforcement*. The regulation in this section shall be enforced by the Commanding Officer, VOLK Field, WI, and/or persons or agencies as he/she may designate.

(3042)

§334.850 Lake Erie, west end, north of Erie Ordnance Depot, Lacarne, OH.

(3043) (a) The danger zone: Consists of the waters of Lake Erie within:

(3044) (1) *Danger Area I*. The sector of a circle with a radius of 6,500 yards centered at latitude 41°32'30"N., longitude 83°01'00"W., and intersecting the southwest boundary of Area II at latitude 41°35'00"N., longitude 83°03'22"W., and the southeast boundary of Area II at latitude 41°34'20"N., longitude 82°57'10"W.

(3045) (2) *Danger Area II* (*Includes Area I*). The area bounded as follows: Beginning at latitude 41°32'30"N., longitude 83°01'00"W.; thence to latitude 41°35'00"N., longitude 83°03'22"W., thence to latitude 41°36'00"N., longitude 83°03'24"W.; thence to latitude 41°41'30"N., longitude 83°07'30"W.; thence to latitude 41°41'30"N., longitude 83°00'00"W.; thence to latitude 41°35'40"N., longitude 82°54'50"W.; and thence to the point of beginning.

(3046) (b) *Types of firing*—(1) *Danger Area I*. Small arms impact area.

(3047) (2) *Danger Area II*. Ground-based artillery, anti-aircraft artillery and automatic weapons impact area.

(3048) (c) Authorized dates and hours of firing:

(3049) (1) *Danger Area I*. 6 a.m. to 6 p.m., e.s.t./e.d.t., daily; actual firing dates and hours within the authorized period to be announced in advance in special firing notices.

(3050) (2) *Danger Area II*. 8 a.m. to 5 p.m., e.s.t./e.d.t., daily except on Saturdays, Sundays, and holidays; actual firing dates and hours scheduled within authorized period to be announced in advance in special firing notices.

(3051) (d) *Restrictions*. (1) No person or vessel shall enter or remain in a danger zone during a scheduled firing period announced in a special firing notice unless specific permission is granted in each instance by a representative of the enforcing officer.

(3052) (2) The danger areas within the danger zone shall be open to the public for navigation, fishing and other public use when firing and/or bombing is not scheduled.

(3053) (e) *Enforcing agencies*. The regulations in this section shall be enforced for the respective danger areas by the following commanders and such agencies as each may designate for his assigned areas. He will be responsible for providing the prescribed control, signals, and special firing notices.

(3054) (1) *Danger Area I*. Adjutant General, State of Ohio.

(3055) (2) *Danger Area II*. Adjutant General, State of Ohio.

(3056) (f) *Control and signals*—(1) *Danger Area I*: When firing into Area I, red flags will be flown from the safety tower at Camp Perry, and from flag poles in the butts of the ranges being used.

(3057) (2) *Danger Area II*. During all types of firing into Area II, red flags will be displayed, one from the safety tower at Camp Perry and one from the safety tower at the Proof Facility at the Erie Industrial Park (Erie Proof Front). During firing into Area II, patrol boats will police and maintain surveillance of the area, and will be in constant radio communication with the shore station controlling the firing.

(3058) (3) [Reserved]

(3059) (4) The appropriate enforcing officer has authority to suspend any scheduled firing for reasonable periods during regattas and immediately after fishing nets are destroyed or dislocated by severe storms.

(3060) (5) The special firing notices which will include schedules of use will be published by the enforcing officer indicated in paragraph (e) of this section, in sufficient time to permit circularization to interested parties and posting on the bulletin boards of post offices in surrounding localities. Special notices will also be furnished the District Engineer, Corps of Engineers, Detroit, MI; the Commander, Ninth Coast Guard District, Cleveland, OH; the Regional Manager, Federal Aviation Administration, Chicago, IL; and each of the enforcing agencies listed in paragraph (e) of this section. Users of the waterway shall familiarize themselves with the current special firing notices. If in doubt, inquiry should be made to the enforcing officer indicated in paragraph (e) of this section.

(3061) (6) Agencies desiring to use the areas shall present their requirements to the respective enforcing officer who is responsible for, and is granted authority to, coordinate the firing and established priorities, for the using agencies.

(3062) (g) *Fishing permits*. Fishermen desiring to set fixed nets within the danger zone are required in every instance to have written permits. Permits for placing nets within Areas I and II may be obtained by written application to the Adjutant General, State of Ohio. Applicants for permits must state the location at which they desire to set fixed nets and the period of time which they desire the permit to cover.

(3063) (h) *Injurious chemicals*. No phosphorus or other poisonous chemicals injurious to wild fowl or fish will be discharged into the waters of the areas.

(3064) (i) The regulations in this section shall be revised annually by the Department of the Army to determine whether further limitations of the danger zone shall be considered.

(3065)

TITLE 36–PARKS, FORESTS, AND PUBLIC PROPERTY

(3066)

Part 1–General Provisions

(3067)

§1.1 Purpose.

(3068) (a) The regulations in this chapter provide for the proper use, management, government, and protection of persons, property, and natural and cultural resources within areas under the jurisdiction of the National Park Service.

(3069) (b) These regulations will be utilized to fulfill the statutory purposes of units of the National Park System: to conserve scenery, natural and historic objects, and wildlife, and to provide for the enjoyment of those resources in a manner that will leave them unimpaired for the enjoyment of future generations.

(3070)

§1.2 Applicability and scope.

(3071) (a) The regulations contained in this chapter apply to all persons entering, using, visiting or otherwise within:

(3072) (1) The boundaries of federally owned lands and waters administered by or subject to the jurisdiction of the National Park Service; or

(3073) (2) The boundaries of lands and waters administered by the National Park Service for public-use purposes pursuant to the terms of a written instrument;

(3074) (3) Waters subject to the jurisdiction of the United States located within the boundaries of the National Park System, including navigable waters and areas within their ordinary reach (up to the mean high water line in places subject to the ebb and flow of the tide and up to ordinary high water mark in other places) and without regard to the ownership of submerged lands, tidelands, or lowlands;

(3075) (4) Lands and waters in the environs of the District of Columbia, policed with the approval or concurrence of the head of the agency having jurisdiction or control over such reservations, pursuant to the provisions of the Act of March 17, 1948 (62 Stat. 81);

(3076) (5) Other lands and waters over which the United States holds a less-than-fee interest, to the extent necessary to fulfill the purpose of the National Park Service administrated interest and compatible with the nonfederal interest.

(3077) (b) The regulations contained in parts 1 through 5, part 7, and part 13 of this chapter do not apply on non-federally owned lands and waters or on Indian tribal trust lands located within National Park System boundaries, except as provided in paragraph (a) or in regulations specifically written to be applicable on such lands and waters.

(3078) (c) The regulations contained in part 7 and part 13 of this chapter are special regulations prescribed for specific park area. Those regulation may amend, modify, relax or make more stringent the regulations contained in parts 1 through 5 and part 12 of this chapter.

(3079) (d) The regulations contained in parts 2 through 5, part 7, and part 13 of this section shall not be construed to prohibit administrative activities conducted by the National Park Service, or its agents, in accordance with approved general management and resources management plans, or in emergency operations involving threats of life, property, or park resources.

(3080) (e) The regulations in this chapter are intended to treat a mobility-impaired person using a manual or motorized wheelchair as a pedestrian, and are not intended to restrict the activities of such a person beyond the degree that the activities of a pedestrian are restricted by the same regulations.

(3081)

Part 2–Resource Protection, Public Use and Recreation (in part)

(3082)

§2.15 Pets.

(3083) (a) The following are prohibited:

(3084) (1) Possessing a pet in a public building, public transportation vehicle, or location designated as a swimming beach, or any structure or area closed to the possession of pets by the superintendent. This subparagraph shall not apply to guide dogs accompanying visually impaired persons or hearing ear dogs accompanying hearing-impaired persons.

(3085) (2) Failing to crate, cage, restrain on a leash which shall not exceed six feet in length, or otherwise physically confine a pet at all times.

(3086) (3) Leaving a pet unattended and tied to an object, except in designated areas or under conditions which may be established by the superintendent.

(3087) (4) Allowing a pet to make noise that is unreasonable considering location, time of day or night, impact on park users, and other relevant factors, or that frightens wildlife by barking, howling, or making other noise.

(3088) (5) Failing to comply with pet excrement disposal conditions which may be established by the superintendent.

(3089) (b) In park areas where hunting is allowed, dogs may be used in support of these activities in accordance with applicable Federal and State laws and in accordance with conditions which may be established by the superintendent.

(3090) (c) Pets or feral animals that are running-at-large and observed by an authorized person in the act of killing, injuring or molesting humans, live-stock, or wildlife may be destroyed if necessary for public safety or protection of wildlife, livestock, or other park resources.

(3091) (d) Pets running-at-large may be impounded, and the owner may be charged reasonable fees for kennel or boarding costs, feed, veterinarian fees, transportation costs, and disposal. An impounded pet may be put up for adoption or otherwise disposed of after being held for 72 hours from the time the owner was notified of capture or 72 hours from the time of capture if the owner is unknown.

(3092) (e) Pets may be kept by residents of park areas consistent with the provisions of this section and in accordance with conditions which may be established by the superintendent. Violation of these conditions is prohibited.

(3093) (f) This section does not apply to dogs used by authorized Federal, State and local law enforcement officers in the performance of their official duties.

(3094)

Part 7–Special Regulations, Areas of the National Park System

(3095)

§7.38 Isle Royale National Park.

(3096) (a) *Aircraft, designated landing areas*.

(3097) (1) The portion of Tobin Harbor located in the NE ¼ of sec. 4, T. 66 N., R. 33 W.; the SE ¼ of sec. 33, T. 67 N., R. 33 W., and the SW ¼ of sec. 34, T. 67 N., R. 33 W.

(3098) (2) The portion of Rock Harbor located in the SE ¼ of sec. 13, the N ½ of sec. 24, T. 66 N., R. 34 W., and the W ½ of sec. 18, T. 66 N., R. 33 W.

(3099) (3) The portion of Washington Harbor located in the N ½ of sec. 32, all of sec. 29, SE ¼ of sec. 30, and the E ½ of sec. 31, T. 64 N., R. 38 W.

(3100) (b) *Underwater diving*. No person shall undertake diving in the waters of Isle Royale National Park with the aid of underwater breathing apparatus without first registering with the Superintendent.

(3101) (c) *Mammals*. Dogs, cats, and other mammals may not be brought into or possessed in the park area, except for guide dogs accompanying the blind.

(3102)

TITLE 40–PROTECTION OF ENVIRONMENT

(3103)

Part 140–Marine Sanitation Device Standard

(3104)

§140.1 Definitions.

(3105) For the purpose of these standards the following definitions shall apply:

(3106) (a) *Sewage* means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes;

(3107) (b) *Discharge* includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping;

(3108) (c) *Marine sanitation device* includes any equipment for installation on board a vessel and which is designed to receive, retain, treat, or discharge sewage, and any process to treat such sewage;

(3109) (d) *Vessel* includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on the navigable waters of the United States;

(3110) (e) *New vessels* refers to any vessel on which construction was initiated on or after January 30, 1975;

(3111) (f) *Existing vessel* refers to any vessel on which construction was initiated before January 30, 1975;

(3112) (g) *Fecal coliform bacteria* are those organisms associated with the intestine of warm blooded animals that are commonly used to indicate the presence of fecal material and the potential presence of organisms capable of causing human disease.

(3113)

§140.2 Scope of standard.

(3114) The standard adopted herein applies only to vessels on which a marine sanitation device has been installed. The standard does not require the installation of a marine sanitation device on any vessel that is not so equipped. The standard applies to vessels owned and operated by the United States unless the Secretary of Defense finds that compliance would not be in the interest of national security.

(3115)

§140.3 Standard.

(3116) (a)(1) In freshwater lakes, freshwater reservoirs or other freshwater impoundments whose inlets or outlets are such as to prevent the ingress or egress by vessel traffic subject to this regulation, or in rivers not capable of navigation by interstate vessel traffic subject to this regulations, marine sanitation devices certified by the U.S. Coast Guard (see 33 CFR Part 159, published in 40 FR 4622, January 30, 1975), installed on all vessels shall be designed and operated to prevent the overboard discharge of sewage, treated or untreated, or of any waste derived from sewage. This shall not be construed to prohibit the carriage of Coast Guard-certified flow-through treatment devices which have been secured so as to prevent such discharges.

(3117) (2) In all other waters, Coast-Guard-certified marine sanitation devices installed on all vessels shall be designed and operated to either retain, dispose of, or discharge sewage. If the device has a discharge, subject to paragraph (d) of this section, the effluent shall not have a fecal coliform bacterial count of greater than 1,000 per 100 milliliters nor visible floating solids. Waters where a Coast Guard-certified marine sanitation device permitting discharge is allowed include coastal waters and estuaries, the Great Lakes and inter-connected waterways, freshwater lakes, and impoundments accessible through locks, and other flowing waters that are navigable interstate by vessels subject to this regulation.

(3118) (b) This standard shall become effective on January 30, 1977 for new vessels and on January 30, 1980 for existing vessels (or, in the case of vessels owned and operated by the Department of Defense, two years and five years, for new and existing vessels, respectively, after promulgation of implementing regulations by the Secretary of Defense under section 312(d) of the Act).

(3119) (c) Any vessel which is equipped as of the date of promulgation of this regulation with a Coast Guard-certified flow-through marine sanitation device meeting the requirements of paragraph (a)(2) of this section, shall not be required to comply with the provisions designed to prevent the overboard discharge of sewage, treated or untreated, in paragraph (a)(1) of this section, for the operable life of that device.

(3120) (d) After January 30, 1980, subject to paragraphs (e) and (f) of this section, marine sanitation devices on all vessels on waters that are not subject to a prohibition of the overboard discharge of sewage, treated or untreated, as specified in paragraph (a)(1) of this section, shall be designed and operated to either retain, dispose of, or discharge sewage, and shall be certified by the U.S. Coast Guard. If the device has a discharge, the effluent shall not have a fecal coliform bacterial count of greater than 200 per 100 milliliters, nor suspended solids greater than 150 mg/1.

(3121) (e) Any existing vessel on waters not subject to a prohibition of the overboard discharge of sewage in paragraph (a)(1) of this section, and which is equipped with a certified device on or before January 30, 1978, shall not be required to comply with paragraph (d) of this section, for the operable life of that device.

(3122) (f) Any new vessel on waters not subject to the prohibition of the overboard discharge of sewage in paragraph (a)(1) of this section, and on which construction is initiated before January 31, 1980, which is equipped with a marine sanitation device before January 31, 1980, certified under paragraph (a)(2) of this section, shall not be required to comply with paragraph (d) of this section, for the operable life of that device.

(3123) (g) The degrees of treatment described in paragraphs (a) and (d) of this section are "appropriate standards"

for purposes of Coast Guard and Department of Defense certification pursuant to section 312(g)(2) of the Act.

(3124)

§140.4 Complete prohibition.

(3125) (a) Prohibition pursuant to CWA section 312(f)(3): a State may completely prohibit the discharge from all vessels of any sewage, whether treated or not, into some or all of the waters within such State by making a written application to the Administrator, Environmental Protection Agency, and by receiving the Administrator's affirmative determination pursuant to section 312(f)(3) of the Act. Upon receipt of an application under section 312(f)(3) of the Act, the Administrator will determine within 90 days whether adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels using such waters are reasonably available. Applications made by States pursuant to section 312(f)(3) of the Act shall include:

(3126) (1) A certification that the protection and enhancement of the waters described in the petition require greater environmental protection than the applicable Federal standard;

(3127) (2) a map showing the location of commercial and recreational pump-out facilities;

(3128) (3) a description of the location of pump-out facilities within waters designated for no discharge;

(3129) (4) the general schedule of operating hours of the pump-out facilities;

(3130) (5) the draught requirements on vessels that may be excluded because of insufficient water depth adjacent to the facility;

(3131) (6) information indicating that treatment of wastes from such pump-out facilities is in conformance with Federal law; and

(3132) (7) information on vessel population and vessel usage of the subject waters.

(3133) (b) Prohibition pursuant to CWA section 312(f)(4)(A): a State may make a written application to the Administrator, Environmental Protection Agency, under section 312(f)(4)(A) of the Act, for the issuance of a regulation completely prohibiting discharge from a vessel of any sewage, whether treated or not, into particular waters of the United States or specified portions thereof, which waters are located within the boundaries of such State. Such application shall specify with particularity the waters, or portions thereof, for which a complete prohibition is desired. The application shall include identification of water recreational areas, drinking water intakes, aquatic sanctuaries, identifiable fish-spawning and nursery areas, and areas of intensive boating activities. If, on the basis of the State's application and any other information available to him, the Administrator is unable to make a finding that the waters listed in the application require a complete prohibition of any discharge in the waters or portions thereof covered by the application, he shall state the reasons why he cannot make such a finding, and shall deny the application. If the Administrator makes a finding that the waters listed in the application require a complete prohibition of any discharge in all or any part of the waters or portions thereof covered by the State's application, he shall publish notice of such findings together with a notice of proposed rule making, and then shall proceed in accordance with 5 U.S.C. 553. If the Administrator's finding is that applicable water quality standards require a complete prohibition covering a more restricted or more expanded area than that applied for by the State, he shall state the reasons why his finding differs in scope from that requested in the State's application.

(3134) (1) For the following waters the discharge from a vessel of any sewage (whether treated or not) is completely prohibited pursuant to CWA section 312(f)(4)(A):

(3135) (i) Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou Roadless Areas, in the Superior National Forest, Minnesota, as described in 16 U.S.C. 577-577d1.

(3136) (ii) Waters of the State of Florida within the boundaries of the Florida Keys National Marine Sanctuary as delineated on a map of the Sanctuary at *http://www.fknms.nos.noaa.gov/*.

(3137) (2)(i) For the marine waters of the State of California, the following vessels are completely prohibited from discharging any sewage (whether treated or not):

(3138) (A) A large passenger vessel;

(3139) (B) A large oceangoing vessel equipped with a holding tank which has not fully used the holding tank's capacity, or which contains more than *de minimis* amounts of sewage generated while the vessel was outside of the marine waters of the State of California.

(3140) (ii) For purposes of paragraph (b)(2) of this section:

(3141) (A) "Marine waters of the State of California" means the territorial sea measured from the baseline as determined in accordance with the Convention on the Territorial Sea and the Contiguous Zone and extending seaward a distance of three miles, and all enclosed bays and estuaries subject to tidal influences from the Oregon border (41.999325 North Latitude, 124.212110 West Longitude, decimal degrees, NAD 1983) to the Mexican border (32.471231 North Latitude, 117.137814 West Longitude, decimal degrees, NAD 1983). A map illustrating these waters can be obtained from EPA or viewed at *http://www.epa.gov/region9/water/no-discharge/overview.html*.

(3142) (B) A "large passenger vessel" means a passenger vessel, as defined in section 2101(22) of title 46, United States Code, of 300 gross tons or more, as measured under the International Convention on Tonnage Measurement of Ships, 1969, measurement system in 46 U.S.C. 14302, or the regulatory measurement system of 46 U.S.C. 14502 for vessels not measured under 46 U.S.C. 14302, that has berths or overnight accommodations for passengers.

(3143) (C) A "large oceangoing vessel" means a private, commercial, government, or military vessel of 300 gross tons or more, as measured under the International Convention on Tonnage Measurement of Ships, 1969, measurement system in 46 U.S.C. 14302, or the

regulatory measurement system of 46 U.S.C. 14502 for vessels not measured under 46 U.S.C.14302, that is not a large passenger vessel.

(3144) (D) A "holding tank" means a tank specifically designed, constructed, and fitted for the retention of treated or untreated sewage, that has been designated and approved by the ship's flag Administration on the ship's stability plan; a designated ballast tank is not a holding tank for this purpose.

(3145) (c)(1) *Prohibition pursuant to CWA* section 312(f)(4)(B): A State may make written application to the Administrator of the Environmental Protection Agency under section 312(f)(4)(B) of the Act for the issuance of a regulation establishing a drinking water intake no discharge zone which completely prohibits discharge from a vessel of any sewage, whether treated or untreated, into that zone in particular waters, or portions thereof, within such State. Such application shall:

(3146) (i) Identify and describe exactly and in detail the location of the drinking water supply intake(s) and the community served by the intake(s), including average and maximum expected amounts of inflow;

(3147) (ii) Specify and describe exactly and in detail, the waters, or portions thereof, for which a complete prohibition is desired, and where appropriate, average, maximum and low flows in million gallons per day (MGD) or the metric equivalent;

(3148) (iii) Include a map, either a USGS topographic quadrant map or a NOAA nautical chart, as applicable, clearly marking by latitude and longitude the waters or portions thereof to be designated a drinking water intake zone; and

(3149) (iv) Include a statement of basis justifying the size of the requested drinking water intake zone, for example, identifying areas of intensive boating activities.

(3150) (2) If the Administrator finds that a complete prohibition is appropriate under this paragraph, he or she shall publish notice of such finding together with a notice of proposed rulemaking, and then shall proceed in accordance with 5 U.S.C. 553. If the Administrator's finding is that a complete prohibition covering a more restricted or more expanded area that applied for by the State is appropriate, he or she shall also include a statement of the reasons why the finding differs in scope from that requested in the State's application.

(3151) (3) If the Administrator finds that a complete prohibition is inappropriate under this paragraph, he or she shall deny the application and state the reasons for such denial.

(3152) (4) For the following waters the discharge from a vessel of any sewage, whether treated or not, is completely prohibited pursuant to CWA section 312(f)(4)(B):

(3153) (i) Two portions of the Hudson River in New York States, the first is bounded by an east-west line through the most northern confluence of the Mohawk River which will be designated by the Troy-Waterford Bridge (126th Street Bridge) on the south and Lock 2 on the north, and the second of which is bounded on the north by southern end of Houghtaling Island and on the south by a line between the Village of Roseton on the western shore and Low Point on the eastern shore in the vicinity of Chelsea, as described in Items 2 and 3 of 6 NYCRR Part 858.4.

(3154) (ii) [Reserved]

(3155)

§140.5 Analytical procedures.

(3156) In determining the composition and quality of effluent discharged from marine sanitation devices the procedures contained in 40 CFR Part 136, "Guidelines Establishing Test Procedures for the Analysis of Pollutants," or subsequent revisions or amendments thereto, shall be employed.

(3157)

TITLE 46–SHIPPING

(3158)

Part 401–GreatLakes Pilotage Regulations (in part)

(3159)

Subpart A–General

(3160)

§401.110 Definitions.

(3161) (a) As used in this chapter:

(3162) (1) *Act* means the Great Lakes Pilotage Act of 1960, as amended (Public Law 86-555, 74 Stat. 259-262; 46 U.S.C. 216-216i).

(3163) (2) *Commandant* means Commandant (CG–00), Attn: Commandant, U.S. Coast Guard Stop 7000, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593–7000.

(3164) **(3) through (4) not carried in this Coast Pilot.**

(3165) (5) *Great Lakes* means Lakes Superior, Michigan, Huron, Erie, and Ontario, their connecting and tributary waters, the St. Lawrence River as far east as Saint Regis, and adjacent port areas.

(3166) **(6) through (8) not carried in this Coast Pilot.**

(3167) (9) *Director* means Director, Great Lakes Pilotage. Communications with the Director may be sent to the following address: Commandant (CG–WWM–2), Attn: Great Lakes Pilotage Branch, U.S. Coast Guard Stop 7509, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593–7509.

(3168) (10) Rate computation definitions:

(3169) (i) *Length* means the distance between the forward and after extremities of the ship.

(3170) (ii) *Breadth* means the maximum breadth to the outside of the shell plating of the ship.

(3171) (iii) *Depth* means the vertical distance at amidships from the top of the keel plate to the uppermost continuous deck, fore and aft, and which extends to the sides of the ship. The continuity of a deck shall not be considered to be affected by the existence of tonnage openings, engine spaces, or a step in the deck.

(3172) (11) *Person* includes an individual, registered pilot, partnership, corporation, association, voluntary association, authorized pool, or public or private organization, other than an agency.

(3173) **(12) through (15) not carried in this Coast Pilot.**

(3174) (16) *Association* means any organization that holds or held a Certificate of Authorization issued by the Great Lakes Pilotage Branch (CG–WWM–2) to operate a pilotage pool on the Great Lakes.

(3175) (17) *Merchant mariner credential or MMC* means the credential issued by the Coast Guard under 46 CFR part 10. It combines the individual merchant mariner's document, license, and certificate of registry enumerated in 46 U.S.C. subtitle II part E as well as the STCW endorsement into a single credential that serves as the mariner's qualification document, certificate of identification, and certificate of service.

(3176)

§401.120 Federal Reservation of Pilotage Regulations.

(3177) No state, municipal, or other local authority shall require the use of pilots or regulate any aspect of pilotage in any of the waters specified in the Act. Only those persons registered as United States Registered Pilots or Canadian Registered Pilots as defined in this subpart may render pilotage services on any vessel subject to the Act and the Memorandum of Arrangements, Great Lakes Pilotage.

(3178)

Subpart E–Penalties; Operations Without Registered Pilots

(3179)

§401.500 Penalties for violations.

(3180) Any person, including a pilot, master, owner, or agent, who violates any provision of this part shall be liable to the United States for a civil penalty as set forth in 46 U.S.C. 9308.

(3181)

§401.510 Operation without Registered Pilots.

(3182) (a) A vessel may be navigated in the U.S. waters of the Great Lakes without a United States or Canadian Registered Pilot when the vessel or its cargo is in distress or jeopardy.

(3183) (b) A vessel may be navigated in the U.S. waters of the Great Lakes without a United States or Canadian Registered Pilot when the Director, with the concurrence of the Commander, 9th Coast Guard District, notifies the master that a United States or Canadian Registered Pilot is not available.

(3184) (1) Notification to the master that a pilot is not available will be made by the Director, either directly to the vessel or through the appropriate pilotage pool, orally or in writing as the circumstances admit, and shall not be deemed given until the notice is actually received by the vessel.

(3185) (2) The determination that a pilot is not available will be made on an individual basis and only when a vessel has given proper notice of its pilotage service requirements to the pilotage pool having dispatching jurisdiction at the time. The vessel has no obligation or responsibility with respect to such notification other than properly informing the pilotage pool of its pilotage requirements. However, the failure or delay by the pool in processing a pilotage service request, or refusal or delay by the Coast Guard in notifying the vessel that a pilot is not available, does not constitute constructive notice that a pilot is not available, and the vessel is not relieved by such failure or delay from compliance with the Great Lakes Pilotage Act of 1960.

(3186) (3) Upon receipt of proper notice of a vessel's pilotage requirements, the pilotage pool shall then determine from the tour de role the availability of a pilot to render the service required. If no pilot is reasonably expected to be available for service within 6 hours of the time the pilotage services are required by the vessel, the pilotage pool shall promptly inform the Director through the U.S. Coast Guard communications system in the manner as may be prescribed from time to time by the Commandant. The Director shall be informed of:

(3187) (i) Name and flag of the vessel;

(3188) (ii) Route of vessel for which a pilot is not available;

(3189) (iii) Time elapsing before a pilot is reasonably expected to become available;

(3190) (iv) Whether vessel has an "other officer" on board;

(3191) (v) Familiarity of master with route to be transited by the vessel;

(3192) (vi) Draft of vessel; and

(3193) (vii) Any circumstance of traffic or weather, or condition of the vessel or its cargo which would adversely affect the safety of the vessel in transiting without a pilot.

(3194) (4) When a pilot is expected to become available within 6 hours of the time pilot services are required, the vessel shall be informed that a pilot is available and the approximate time the pilot will report on duty. However, should any unusual circumstance or condition exist which may justify notification that a pilot is not available in less than 6 hours, the pilotage pool shall inform the Director as in paragraph (b)(3) of this section, along with the circumstances involved. Additionally, the vessel may contact the Director directly to request notification under paragraph (b)(1) of this section if a notice of pilot availability is not received from the appropriate pilotage pool within two hours of providing its pilotage requirements to the pool.

(3195) (5) Any vessel which requires the services of a pilot and is navigated without a pilot or proceeds prior to receipt of a message that a pilot is not available pursuant to paragraph (b)(1) of this section shall be reported as in violation of section 7 of the Great Lakes Pilotage Act of 1960 by the pilotage pool to the local Coast Guard unit having jurisdiction. If the message is received after the vessel proceeds, such message shall not be delivered without concurrence of the Coast Guard officer to whom the violation was reported.

(3196) (6) U.S. pilotage pools informing the Director that a pilot is not available for a vessel shall also obtain notice that pilot is not available from the appropriate Canadian Supervisor of Pilots for those portions of the route which are in Canadian waters in the manner prescribed by them. The notice for Canadian District No. 1 waters shall be obtained from the Supervisor of Pilots, Department of Transport, Cornwall, Ontario, and the notice for Canadian District No. 2 waters shall be obtained from the Supervisor of Pilots, Department of Transport, Port Weller, Ontario. Authority to issue notice for Canadian waters of District No. 3 has been granted to the Director by the Department of Transport, Ottawa, and separate notice from Canada for this District is not required until such time as separate Canadian pilotage dispatch facilities may be established.

(3197) (7) Notice that a pilot is not available shall not be delivered to any vessel unless the message contains the concurrence of the Commander, 9th Coast Guard District, and notice for Canadian waters of Districts No. 1 and No. 2, if required, has been obtained from the appropriate Canadian authority.

(3198) (8) In the event of an emergency or any other compelling circumstance, the Director may issue, without the specific request for service as provided under paragraph (b)(2) of this section, individual or general notification that a pilot or pilots are not available. Pilotage pools shall advise the Director of any condition or circumstance coming to their attention which may warrant such a determination.

(3199)

TITLE 47–TELECOMMUNICATION

(3200)

Part 80–Stations in the Maritime Services

(3201)

Subpart G–Safety Watch Requirements and Procedures (in part)

(3202)

§80.308 Watch required by the Great Lakes Radio Agreement.

(3203) (a) Each ship of the United States that is equipped with a radiotelephone station for compliance with the Great Lakes Radio Agreement must when underway keep a watch on:

(3204) (1) 156.800 MHz on board a vessel 20 meters (65 feet) and over in length, a vessel engaged in towing (See §80.951(b)), or a vessel carrying more than 6 passengers for hire. This watch must be maintained whenever the station is not being used for authorized traffic. However, a watch on 156.800 MHz need not be maintained by a vessel maintaining a watch on the bridge-to-bridge frequency 156.650 MHz *and* participating in a Vessel Traffic Services (VTS) system and maintaining a watch on the specified VTS frequency.

(3205) (2) 156.650 MHz on board a vessel 38 meters (124 feet) and over in length, a vessel engaged in towing (See §80.951(b)), or a vessel carrying more than six passengers for hire. This watch must be maintained continuously and effectively. Sequential monitoring is not sufficient. Portable VHF equipment may be used to meet this requirement. Vessels are exempted from this requirement while transiting the St. Lawrence Seaway and complying with the Joint Regulations of the St. Lawrence Seaway Authority and St. Lawrence Seaway Development Corporation between the lower exit of St. Lambert Lock at Montreal and Crossover Island, New York and in the Welland Canal and approaches between Calling in Point No. 15 and No. 16.

(3206) (b) The watch must be maintained by the master, or person designated by the master, who may perform other duties provided they do not interfere with the effectiveness of the watch.

(3207)

Subpart T–Radiotelephone Installation Required for Vessels on the Great Lakes

(3208)

§80.951 Applicability.

(3209) The Agreement Between the United States of America and Canada for Promotion of Safety on the Great Lakes by Means of Radio, 1973, applies to vessels of all countries when navigated on the Great Lakes. The Great Lakes Radio Agreement defines the Great Lakes as "all waters of Lakes Ontario, Erie, Huron (including Georgian Bay), Michigan, Superior, their connecting and tributary waters and the River St. Lawrence as far east as the lower exit of the St. Lambert Lock at Montreal in the Province of Quebec, Canada," but shall not include such of the connecting and tributary waters as may be specified in the Technical Regulations." The Technical Regulations do not include any connecting and tributary waters except the St. Mary's River, the St. Clair River, Lake St. Clair, the Detroit River and the Welland Canal. A vessel to which the Great Lakes Agreement applies and which falls into the specific categories by paragraph (a), (b) or (c) of this section and not excepted by paragraph (d) or (e) of this section shall comply with this subpart while navigated on the Great Lakes.

(3210) (a) Every vessel 20 meters (65 feet) or over in length (measured from end to end over the deck, exclusive of sheer).

(3211) (b) Every vessel engaged in towing another vessel or floating object, except:

(3212) (1) Where the maximum length of the towing vessel, measured from end to end over the deck exclusive of sheer, is less than twenty-six (26) feet and the length or breadth of the tow, exclusive of the towing line, is less than 20 meters (65 feet);

(3213) (2) Where the vessel towed complies with this subpart;

(3214) (3) Where the towing vessel and tow are located within a booming ground (an area in which logs are confined); or

(3215) (4) Where the tow has been undertaken in an emergency and neither the towing vessel nor the tow can comply with this part.

(3216) (c) Any vessel carrying more than six passengers for hire.

(3217) (d) The requirements of the Great Lakes Radio Agreement shall not apply to:

(3218) (1) Ships of war and troop ships;

(3219) (2) Vessels owned and operated by any national government and not engaged in trade.

(3220) (e) The Commission may, if it considers that the conditions of the voyage or voyages affecting safety (including but not necessarily limited to the regularity, frequency and nature of the voyages, or other circumstances) are such as to render full application of the Great Lakes Agreement unreasonable or unnecessary, may exempt partially, conditionally or completely any individual vessel for one or more voyages or for any period of time not exceeding one year.

(3221)

§80.953 Inspection and certification.

(3222) (a) Each U.S. flag vessel subject to the Great Lakes Agreement must have an inspection of the required radiotelephone installation at least once every 13 months. This inspection must be made while the vessel is in active service or within not more than one month before the date on which it is placed in service.

(3223) (b) An inspection and certification of a ship subject to the Great Lakes Agreement must be made by a technician holding one of the following: a General Radiotelephone Operator License, a GMDSS Radio Maintainer's License, a Radiotelegraph Operator License, a Second Class Radiotelegraph Operator's Certificate, or a First Class Radiotelegraph Operator's Certificate. Additionally, the technician must not be the vessel's owner, operator, master, or an employee of any of them. The results of the inspection must be recorded in the ship's radiotelephone log and include:

(3224) (1) The date the inspection was conducted;

(3225) (2) The date by which the next inspection needs to be completed;

(3226) (3) The inspector's printed name, address, class of FCC license (including the serial number);

(3227) (4) The results of the inspection, including any repairs made; and

(3228) (5) The inspector's signed and dated certification that the vessel meets the requirements of the Great Lakes Agreement and the Bridge-to-Bridge Act contained in subparts T and U of this part and has successfully passed the inspection.

(3229) (c) The vessel owner, operator, or ship's master must certify that the inspection required by paragraph (b) was satisfactory.

(3230) (d) The ship's log must be retained on-board the vessel for at least two years from the date of the inspection.

(3231)

§80.955 Radiotelephone Installation.

(3232) (a) Each U.S. flag vessel of less than 38 meters (124 feet) in length while subject to the Great Lakes Agreement must have a radiotelephone meeting the provisions of this subpart in addition to the other rules in this part governing ship stations using telephony.

(3233) (b) Each U.S. flag vessel of 38 meters (124 feet) or more in length while subject to the Great Lakes Agreement must have a minimum of two VHF radiotelephone installations in operating condition meeting the provisions of this subpart. The second VHF installation must be electrically separate from the first VHF installation. However, both may be connected to the main power supply provided one installation can be operated from a separate power supply located as high as practicable on the vessel.

(3234) (c) This paragraph does not require or prohibit the use of other frequencies for use by the same "radiotelephone installation" for communication authorized by this part.

(3235)

§80.956 Required frequencies and uses.

(3236) (a) Each VHF radiotelephone installation must be capable of transmitting and receiving G3E emission as follows:

(3237) (1) Channel 16–156.800 MHz–Distress, Safety and Calling; and

(3238) (2) Channel 6–156.300 MHz–Primary intership.

(3239) (b) The radiotelephone station must have additional frequencies as follows:

(3240) (1) Those ship movement frequencies appropriate to the vessel's area of operation: Channel 11–156.550 MHz, Channel 12–156.600 MHz, or Channel 14–156.700 MHz.

(3241) (2) The navigational bridge-to-bridge frequency, 156.660 MHz (channel 13).

(3242) (3) Such other frequencies as required for the vessel's service.

(3243) (4) One channel for receiving marine navigational warnings for the area of operation.

(3244) (c) Every radiotelephone station must include one or more transmitters, one or more receivers, one or more sources of energy and associated antennas and control equipment. The radiotelephone station, exclusive of the antennas and source of energy, must be located as high as practicable on the vessel, preferably on the bridge, and protected from water, temperature, and electrical and mechanical noise.

(3245)

§80.957 Principal operating position.

(3246) (a) The principal operating positions of the radiotelephone installation must be on the bridge, convenient to the conning position.

(3247) (b) When the radiotelephone station is not located on the bridge, operational control of the equipment must be provided at the location of the radiotelephone station

and at the bridge operating position. Complete control of the equipment at the bridge operating position must be provided.

(3248)

§80.959 Radiotelephone transmitter.

(3249) (a) The transmitter must be capable of transmission of G3E emission on the required frequencies.

(3250) (b) The transmitter must deliver a carrier power of between 10 watts and 25 watts into 50 ohms nominal resistance when operated with its rated supply voltage. The transmitter must be capable of readily reducing the carrier power to one watt or less.

(3251) (c) To demonstrate the capability of the transmitter, measurements of primary supply voltage and transmitter output power must be made with the equipment operating on the vessel's main power supply, as follows:

(3252) (1) The primary supply voltage measured at the power input terminals to the transmitter terminated in a matching artificial load, must be measured at the end of 10 minutes of continuous operation of the transmitter at its rated power output.

(3253) (2) The primary supply voltage, measured in accordance with the procedures of this paragraph, must be not less than 11.5 volts.

(3254) (3) The transmitter at full output power measured in accordance with the procedure of this paragraph must not be less than 10 watts.

(3255)

§80.961 Radiotelephone receiver.

(3256) (a) The receiver must be capable of reception of G3E emission on the required frequencies.

(3257) (b) The receiver must have a sensitivity of at least 2 microvolts across 50 ohms for a 20 decibel signal-to-noise ratio.

(3258)

§80.963 Main power supply.

(3259) (a) A main power supply must be available at all times while the vessel is subject to the requirements of the Great Lakes Radio Agreement.

(3260) (b) Means must be provided for charging any batteries used as a source of energy. A device which during charging of the batteries gives a continuous indication of charging current must be provided.

(3261)

§80.965 Reserve power supply.

(3262) (a) Each passenger vessel of more than 100 gross tons and each cargo vessel of more than 300 gross tons must be provided with a reserve power supply independent of the vessel's normal electrical system and capable of energizing the radiotelephone installation and illuminating the operating controls at the principal operating position for at least 2 continuous hours under normal operating conditions. When meeting this 2 hour requirement, such reserve power supply must be located on the bridge level or at least one deck above the vessel's main deck.

(3263) (b) Instead of the independent power supply specified in paragraph (a) of this section, the vessel may be provided with an auxiliary radiotelephone installation having a power source independent of the vessel's normal electrical system. Any such installation must comply with §§80.955, 80.956, 80.957, 80.959, 80.961, 80.969 and 80.971, as well as the general technical standards contained in this part. Additionally, the power supply for any such auxiliary radiotelephone must be a "reserve power supply" for the purposes of paragraphs (c), (d) and (e) of this section.

(3264) (c) Means must be provided for adequately charging any batteries used as a reserve power supply for the required radiotelephone installation. A device must be provided which, during charging of the batteries, gives a continuous indication of charging.

(3265) (d) The reserve power supply must be available within one minute.

(3266) (e) The station licensee, when directed by the Commission, must prove by demonstration as prescribed in paragraphs (e)(1), (2), (3) and (4) of this section that the reserve power supply is capable of meeting the requirements of paragraph (a) of this section as follows:

(3267) (1) When the reserve power supply includes a battery, proof of the ability of the battery to operate continuously for the required time must be established by a discharge test over the required time, when supplying power at the voltage required for normal operation to an electric load as prescribed by paragraph (e)(3) of this section.

(3268) (2) When the reserve power supply includes an engine driven generator, proof of the adequacy of the engine fuel supply to operate the unit continuously for the required time may be established by using as a basis the fuel consumption during a continuous period of one hour when supplying power, at the voltage required for normal operation, to an electrical load as prescribed by paragraph (3)(e) of this section.

(3269) (3) For the purposes of determining the electrical load to be supplied, the following formula must be used:

(3270) (i) One-half of the current of the radiotelephone while transmitting at its rated output, plus one-half the current while not transmitting; plus

(3271) (ii) Current of the required receiver; plus

(3272) (iii) Current of the source of illumination provided for the operating controls prescribed by Section 80.969; plus

(3273) (iv) The sum of the currents of all other loads to which the reserve power supply may provide power in time of emergency or distress.

(3274) (4) At the conclusion of the test specified in paragraphs (e)(1) and (2) of this section, no part of the reserve power supply must have excessive temperature rise, nor must the specific gravity or voltage of any battery be below the 90 percent discharge point.

(3275)

§80.967 Antenna system.

(3276) The antenna must be omnidirectional, vertically polarized and located as high as practicable on the masts or superstructure of the vessel.

(3277)

§80.969 Illumination of operating controls.

(3278) (a) The radiotelephone must have dial lights which illuminate the operating controls at the principal operating position.

(3279) (b) Instead of dial lights, a light from an electric lamp may be provided to illuminate the operating controls of the radiotelephone at the principal operating position. If a reserve power supply is required, arrangements must permit the use of that power supply for illumination within one minute.

(3280)

§80.971 Test of radiotelephone installation.

(3281) At least once during each calendar day a vessel subject to the Great Lakes Radio Agreement must test communications on 156.800 MHz to demonstrate that the radiotelephone installation is in proper operating condition unless the normal daily use of the equipment demonstrates that this installation is in proper operating condition. If equipment is not in operating condition, the master must have it restored to effective operation as soon as possible.

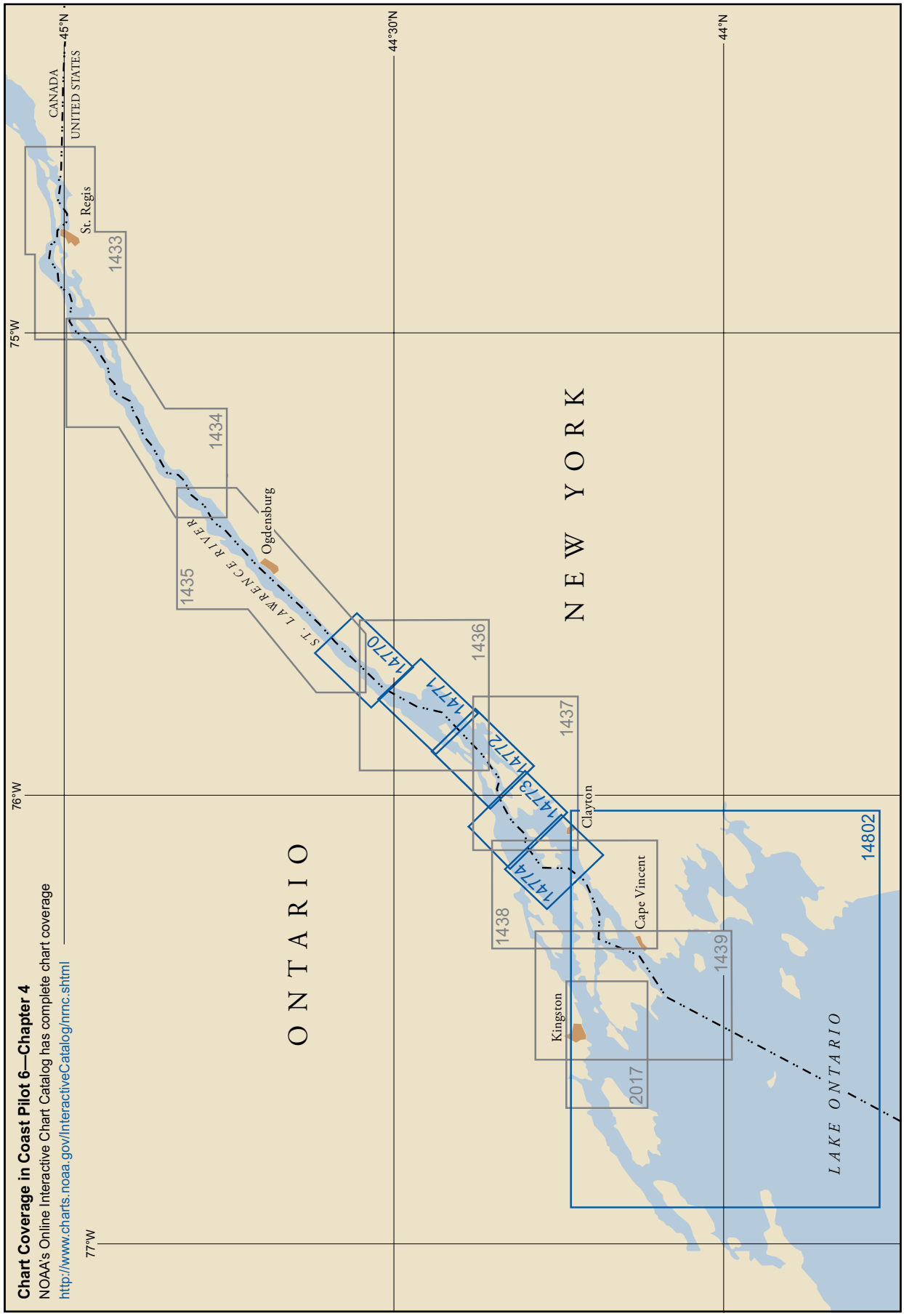
Chart Coverage in Coast Pilot 6—Chapter 4
NOAA's Online Interactive Chart Catalog has complete chart coverage
http://www.charts.noaa.gov/InteractiveCatalog/nrnc.shtml
CANADA
UNITED STATES
45°N
44°30'N
44°N
75°W
76°W
77°W
St. Regis
Ogdensburg
Clayton
Cape Vincent
Kingston
ST. LAWRENCE RIVER
ONTARIO
NEW YORK
LAKE ONTARIO
1433
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2017
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14771
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14802

St. Lawrence River Above St. Regis

(1) The **St. Lawrence River,** 744 statute miles (672.6 nm) long, is one of the principal rivers of North America and provides access for oceangoing vessels to the Great Lakes and heartland of the continent. The river flows northeast from its head in Lake Ontario, first along the United States-Canadian border, thence through the south part of Quebec Province past the cities of Montreal and Quebec before emptying into the Gulf of St. Lawrence. In its upper part, the river is wide and is filled with the Thousand Islands. Below Cornwall, ON, the river widens into Lake St. Francis, thence into Lake St. Louis, thence descends through Lachine Rapids to Montreal. Lake St. Peter, another widened section, is between Sorel and Trois Rivieres. Below the city of Quebec, the river is a tidal estuary which gradually increases to a width of 90 statute miles (78.2 nm) at the mouth.

(2) This chapter describes the upper part of the river, from St. Regis, QC, upstream to Lake Ontario. No attempt has been made to mention all of the islands, shoals, winding channels, and irregularities of the mainland shores which characterize the river for most of its length. Mariners are referred to the charts for delineation of the intricate details of topography and hydrography.

(3) That part of the St. Lawrence River from Montreal upstream to Lake Ontario is part of the St. Lawrence Seaway and is under the navigational control of the **Saint Lawrence Seaway Development Corporation**, a corporate agency of the United States, and the **St. Lawrence Seaway Management Corporation** of Canada. These agencies issue joint regulations covering vessels and persons using the Seaway. The regulations are codified in **33 CFR part 401** and are also contained in the Seaway Handbook, published jointly by the corporations. A copy of the regulations is required to be kept on board every vessel transiting the Seaway. A schedule of the Seaway tolls is contained in the handbook. (See St. Lawrence Seaway, Chapter 3.)

(4)

Vessel traffic control

(5) The Seaway portion of the St. Lawrence River is divided into four traffic control sectors, with vessel movements in each sector controlled by a traffic controller. The objective of the system is to provide safe and efficient scheduling of vessel traffic, efficient search and rescue coverage, information regarding pilot requirements to the pilot dispatch centers, marine weather broadcasts, and information on vessel location to all interested parties.

(6) The traffic control sectors in the St. Lawrence River are as follows:

(7) **Sector 1** (from Montreal to mid-length of Lake St. Francis) controlled by St. Lambert Traffic through "Seaway Beauharnois" on VHF-FM channel 14.

(8) **Sector 2** (from mid-length of Lake St. Francis to Bradford Island) controlled by Massena Traffic through "Seaway Eisenhower" on VHF-FM channel 12.

(9) **Sector 3** (from Bradford Island to Crossover Island) controlled by St. Lambert Traffic through "Seaway Iroquois" on VHF-FM channel 11.

(10) **Sector 4** (from Crossover Island to mid-length of Lake Ontario) controlled by Massena Traffic in the St. Lawrence River section through "Seaway Clayton" on VHF-FM channel 13.

(11) Complete information on the traffic control sectors and their respective calling-in points is contained in the Seaway Handbook.

(12)

Channels

(13) The main vessel course through the river has been improved by dredging. Canals and locks have been constructed to bypass the rapids and to overcome the water level difference between the ocean and Lake Ontario. The controlling depth in the channels of the St. Lawrence Seaway through the river is 27 feet (8.2 meters).

(14) The maximum permissible draft in the Seaway is 26 feet (7.9 meters). The loading, draft, and speed of a vessel in transit shall be controlled by the vessel master according to the vessel's individual characteristics and its tendency to list or squat, so as not to strike bottom. The draft shall not in any case exceed the maximum permissible draft, which will be strictly enforced. Where a vessel's draft is in excess of the maximum permissible draft, the vessel will be delayed and the overdraft corrected before transit. The maximum permissible draft in any channel is subject to change should conditions so warrant. (For current information on permissible drafts through the St. Lawrence Seaway, consult the Seaway Notices.)

(15) The maximum overall length and extreme breadth authorized in the Seaway locks is 730 feet (222.5 meters) and 76 feet (23.2 meters), respectively. The maximum height authorized in the Seaway is 110 feet (33.5 meters) above the water. (For complete information on vessel dimension restrictions, refer to the Seaway Handbook.)

(16)

Speed restrictions

(17) The St. Lawrence Seaway waters of the St. Lawrence River are a controlled speed area. The speed limits in

(35)

Structures across the St. Lawrence River

Name•Description•Type	Location	Clear Width of Draw or Span Opening (feet)	Clear Height above Water Datum (feet)		Information
			Low	High	
Quebec Bridge (fixed)	46°44'44"N., 71°17'16"W.	760		150	
Overhead power cables	46°44'44"N., 71°17'23"W.			157	
Pierre Laporte Bridge (fixed)	46°44'44"N., 71°17'26"W.			160	
Overhead power cables	46°44'39"N., 71°17'42"W.			147	under severe icing conditions, clearance may be reduced to 105 feet
Overhead power cables	46°19'03"N., 72°33'05"W.			147	under severe icing conditions, clearance may be reduced to 124 feet
Laviolette Bridge (fixed)	46°18'27"N., 72°33'42"W.			164	
Overhead power cables	46°03'06"N., 73°08'14"W.		167		under severe icing conditions, clearance may be reduced to 125 feet
Overhead power cables	45°39'21"N., 73°28'15"W.		177		under severe icing conditions, clearance may be reduced to 158 feet
Overhead power cables	45°34'52"N., 73°30'13"W.		176		
Jacques Cartier Bridge (fixed)	45°31'18"N., 73°31'33"W.	200	141		
Overhead power cables	45°29'46"N., 73°31'06"W.		160		
Victoria Bridge (vertical lift)	45°29'44"N., 73°31'05"W.	80	39 (down) 134 (up)		
Saint-Lambert Lock	45°29'39"N., 73°31'04"W.				
Victoria Diversion Bridge (vertical lift)	45°29'33"N., 73°31'02"W.	80	23 (down) 123 (up)		
Overhead power cables	45°29'21"N., 73°30'56"W.		151		
Champlain Bridge (fixed)	45°28'02"N., 73°30'14"W.	300	123		
Cote St. Catherine Lock	45°24'28"N., 73°33'57"W.				
Cote St. Catherine Bridge (vertical lift)	45°24'28"N., 73°34'04"W.	80			
Overhead cables	45°24'09"N., 73°37'16"W.		143		
Overhead cables	45°24'07"N., 73°37'37"W.		143		
Overhead cables	45°24'07"N., 73°37'44"W.		160		
Honore Mercier Bridge (fixed)	45°24'34"N., 73°39'32"W.	250	127		
Canadian Pacific Railroad Bridges (vertical lift)	45°24'40"N., 73°39'46"W.	250	48 (down) 128 (up)		
Lower Beauharonis Lock	45°19'00"N., 73°55'09"W.				
Overhead power cables	45°18'51"N., 73°55'14"W.		154		
Overhead power cables	45°18'50"N., 73°55'15"W.		160		
Overhead power cables	45°18'37"N., 73°55'23"W.		152		
Overhead power cables	45°18'30"N., 73°55'27"W.		155		
Upper Beauharonis Lock	45°18'13"N., 73°55'39"W.				
Penn Central Railroad Bridge (swing)	45°18'08"N., 73°55'40"W.	80	N/A		
Overhead power cables	45°14'31"N., 73°59'13"W.		170		
Overhead power cables	45°14'29"N., 73°59'15"W.		144		
Saint-Louis Bridge (vertical lift)	45°13'55"N., 74°00'11"W.	180	14 (down) 120 (up)		
Valleyfield Lift Bridge (vertical lift)	45°13'33"N., 74°06'54"W.	180	11.5 (down) 120 (up)		
Seaway International Bridge (fixed)	44°59'22"N., 74°44'22"W.	600	122		
Bertrand H. Snell Lock	44°59'16"N., 74°46'39"W.				
Overhead power cables	44°59'06"N., 74°48'00"W.		140		
Dwight D. Eisenhower Lock	44°58'46"N., 74°51'00"W.				
Iroquois Lock Bridge	44°49'57"N., 75°18'41"W.	N/A	N/A		
Iroquois Lock	44°49'52"N., 75°18'42"W.				
Ogdensburg-Prescott Bridge (fixed)	44°44'06"N., 75°27'34"W.	1,148	131		
Thousand Islands Bridge (fixed)	44°21'47"N., 75°59'00"W.	500	134		

U.S. waters are in accordance with **33 CFR 401.** (See the **Seaway Handbook**, Chapter 3)

(18) The maximum speeds for vessels in excess of 40 feet (12.2 meters) in length are in effect in the following areas unless otherwise indicated through Seaway Notices:

(19) Upper Entrance South Shore Canal to Lake St. Louis Buoy A13, 10.5 knots

(20) Lake St. Louis Buoy A13 to Lower Entrance Lower Beauharnois Lock, 16 knots

(21) Upper Entrance Upper Beauharnois Lock to Lake St. Francis Buoy D3, 9 knots upbound and 10.5 knots downbound

(22) Lake St. Francis Buoy D3 to Lake St. Francis Buoy D49, 12 knots upbound and 13.5 knots downbound

(23) Lake St. Francis Buoy D49 to Snell Lock, 8.5 knots upbound and 10.5 knots downbound

(24) Eisenhower Lock to Iroquois Lock, 11.5 knots (10.5 knots at high water)

(25) Iroquois Lock to McNair Island Light Buoy 137A, 13 knots (10.5 knots at high water)

(26) McNair Island Light Buoy 137A to Deer Island Light 186, 11.5 knots (10.5 knots at high water)

(27) Deer Island Light 186 to Bartlett Point Light 227, 8.5 knots upbound and 10.5 knots downbound

(28) Bartlett Point Light 227 to Tibbetts Point, 13 knots (10.5 knots at high water)

(29) Junction of Canadian Middle Channel and Main Channel abreast of Ironsides Island to open waters between Wolfe and Howe Islands through the Canadian Middle Channel, 9.5 knots

(30) Port Robinson to Ramey's Bend through the Welland By-Pass, 8 knots

(31) All other canals, 6 knots;

(32)

Fluctuations of water level

(33) The water levels of the various reaches of the St. Lawrence River are fairly constant. Some variations from normal may occur at the power dams. A wind blowing constantly from one direction may cause a short-term fluctuation of up to about 2 feet (about 0.6 meter) above or below normal.

(34) When water levels at the Kingston, ON, or Ogdensburg, NY, gages fall below Low Water Datum, the traffic control stations broadcast low water warnings. These broadcasts are made every two hours until the levels return above Low Water Datum.

(36)

Currents, St. Lawrence River

(37) The current velocities in the St. Lawrence River are varied depending on the reach or channel, and the time of year, e.g., spring thaws. From Montreal to Ogdensburg, NY, the maximum velocity in the navigation channels is generally about 2.3 knots. From Ogdensburg to Lake Ontario, the fall of the river is only 1 foot (0.3 meter) and the current velocity in many channels is less than 0.6 knot.

(38)

Weather, St. Lawrence River

(39) The deep, narrow St. Lawrence River Valley can channel, deflect, intensify, or reduce the prevailing winds. As might be expected from the orientation of the valley, winds blow frequently from southwest and northeast, particularly strong winds. Extremes, usually from these directions, have been clocked at 40 to 60 knots. Strong northeasterlies are often generated by lows that pass to the south or those that traverse the Great Lakes region when a high lingers in the Gulf of St. Lawrence. Downriver winds, from the southwest to west, prevail in the wake of these storms. An intense storm along the Atlantic coast will usually generate north to northwest winds along the upper St. Lawrence River, which is somewhat sheltered by the hills to the north. Gales are most likely from November through April. Summer windspeeds usually average less than 9 knots; speeds of 17 knots or more occur less than 10 percent of the time. Occasional strong winds are usually associated with thunderstorm gusts. Summer winds rarely blow up river. Southwesterlies and westerlies prevail.

(40) Fog, precipitation, haze, and smoke all can reduce visibilities. Fog is the most common and usually the most restrictive. Along this portion of the St. Lawrence River, fog (visibilities less than 1,100 yards (1,000 meters) occurs on about 25 days each year, mainly from fall through spring. It often forms on cool, calm, clear nights onshore and drifts out over the water. It usually burns off by noon. Sometimes in spring, warm air moving over the cold river will create a dense, persistent fog. However, this is more common over the wider lower St. Lawrence River. Smoke from brushfires in September and October can reduce visibilities. Visibility may also be briefly restricted below 2 statute miles (1.7 nm) by rain or snow.

(41)

Ice

(42) Before the closing of the St. Lawrence Seaway and after its spring opening, some typical river ice may be encountered. Shore-fast ice begins to form in December, and its main outlines are established by early January. The formation spreads upstream from St. Regis. Drift ice is sometimes found in the shipping channels toward the end of the navigation season and the beginning of the new one. The ice begins to melt, usually in early March, near the entrance to Lake Ontario. There is a gradual clearing of shipping lanes and the whole area is normally free of ice by the end of April.

(43)

Pilotage

(44) The waters of the St. Lawrence River described in this chapter are Great Lakes designated waters. All registered vessels of the United States and foreign vessels are required to have in their service a United States or Canadian registered pilot. Registered pilots for the reach from St. Regis to Lake Ontario are supplied by the Great Lakes Pilotage Authority, Ltd., Cornwall, and the St.

Lawrence Seaway Pilots Association. (See Appendix A for addresses.) Pilot exchange points are at Snell Lock and off Cape Vincent, NY. (See Pilotage, Chapter 3, and **46 CFR 401**, Chapter 2.)

(45)

ENC - Chart - *1433

(46) The **International boundary** between the United States and Canada extends from east and intersects the St. Lawrence River at **St. Regis, QC,** opposite the lower end of Cornwall Island, about 116 statute miles (100.8 nm) below the head of the river at Lake Ontario. In this chapter, for a detailed description of Canadian waters, consult **Canadian Sailing Directions, CEN301, St. Lawrence River**.

(47)

Chart Datum, St. Lawrence River, above Summerstown and below Snell Lock

(48) The depths are referred to the sloping surface of the river when the gage at **Summerstown,** ON, 6.5 statute miles (5.6 nm) below Cornwall Island, indicates 151.6 feet (46.20 meters) and the gage at Pollys Gut, just below Snell Lock, indicates 152.9 feet (46.60 meters). These elevations are above mean water level at Rimouski, QC, on International Great Lakes Datum 1985 (IGLD 1985). (See Chart Datum, Great Lakes System, indexed as such, Chapter 1.)

(49) The main vessel route in this section of the river extends from Lac Saint-Francois on the north side of Ile Saint-Regis and thence between the west end of Ile Saint-Regis and the east end of **Cornwall Island.** Here the vessel route enters United States waters for the first time and in the remainder of the river follows deep water without regard to the International boundary.

(50)

Calling-in point

(51) Upbound vessels shall contact "Seaway Eisenhower" on VHF-FM channel 12 when approximately abeam of the lower end of Cornwall Island. After initial contact, vessels shall guard VHF-FM channel 12. (See the Seaway Handbook for details.)

(52) The vessel route extends along the south side of Cornwall Island to Snell Lock at the east end of Wiley-Dondero Canal.

(53)

Currents, St. Lawrence River

(54) In 1977, the following currents were determined in the area just below Snell Lock:

(55) out of Pollys Gut 1.1 to 2.4 knots,

(56) the channel between Pollys Gut and the Seaway International Bridge 1.0 to 3.4 knots,

(57) and at the bridge 2.4 to 3.4 knots.

(58) These values came from a St. Lawrence Seaway Development Corporation study.

(59) **Cornwall, ON** is a city on the north side of the river north of Cornwall Island.

(60) The following is extracted (partial) from **Canadian Sailing Directions CEN301, St. Lawrence River, Chapter 2**. It is to be noted that the units of miles are nautical miles.

(61) *The city of* **Cornwall**, *with a population of 45,965 (2006), is on the north shore of the St. Lawrence River, north of Cornwall Island. There are several industrial plants in the city. Cornwall has bus and rail services. Highway 401 is 3 km north of the harbour. The St. Lawrence Seaway Management Corporation has their operating headquarters in Cornwall. The distance by the Seaway channel from Montreal is 69 miles.*

(62) *The harbour at Cornwall is a public harbour administered by Transport Canada.*

(63) *The Canada Border Services Agency offers customs and immigration services in Cornwall. There is a customs* **sufferance warehouse** *at the port. For more information, contact the Border Information Service, at 1–800–461–9999 for service in English or 1–800–959–2036 for service in French or visit: www.cbsa-asfc.gc.ca.*

(64) *Cornwall wharf, 175 m (574 ft) long with a depth of 8.2 m (27 ft) in 2006, is 0.4 mile west of Windmill Point. This wharf is operated by Transport Canada (2008). Tugs are not normally required for berthing; with sufficient notice, tugs can be available for emergency or standby use. A transit shed on Cornwall wharf has 1,055 m² (11,360 ft²) of storage space for general cargo.*

(65) **Raquette River** flows into the south side of the St. Lawrence River near lower end of Cornwall Island. The river has depths of 12 feet (3.7 meters) at the mouth, but shoals rapidly to 2 feet (0.6 meter) and has several small islands and a submerged crib within 0.7 statute mile (0.6 nm) of the mouth.

(66)

Calling-in point

(67) Upbound vessels shall contact "Seaway Eisenhower" on VHF-FM channel 12 when about 0.5 statute mile (0.4 nm) below Seaway International Bridge. After initial contact, vessels shall guard VHF-FM channel 12. (See the Seaway Handbook for details.)

(68) **Grass River** flows into the south side of the St. Lawrence River just below the east end of Wiley-Dondero Canal. The river is navigable for about 6.5 statute miles (5.6 nm) to the junction with Massena Canal, but is obstructed by numerous boulders near the junction. The three bridges that cross the river below the junction have a least clearance of 39 feet (11.9 meters).

(69) **Wiley-Dondero Canal**, cut in part through the U.S. mainland, extends from just west of the mouth of Grass River west for about 10 statute miles (8.7 nm) past the **Long Sault Islands** to the vicinity of the **Croil Islands.** The canal, with its two locks, serves to raise vessels from the level of Lac Saint-Francois to that of Lake St. Lawrence. **Bertrand H. Snell Lock,**at the east end of the canal, has a normal lift of 45 to 49 feet (13.7 to 14.9

meters). **Dwight D. Eisenhower Lock,** 3.5 statute miles (3 nm) west of Snell Lock, has a normal lift of 38 to 42 feet (11.6 to 12.8 meters).

(70) A **speed limit** of 6 knots is enforced in the canal between Eisenhower and Snell Locks.

(71)

Calling-in point

(72) Downbound vessels shall contact "Seaway Eisenhower" on VHF-FM channel 12 when approximately abeam of the central island of the Croil Islands. After initial contact, vessels shall guard VHF-FM channel 12. (See the Seaway Handbook for details.)

(73)

Currents, Wiley-Dondero Canal

(74) Crosscurrents with velocities to 2 knots have been reported in the Wiley-Dondero Canal. These currents set northeast along the lower end of the Long Sault Islands and east-southeast at the upper end of the islands.

(75) Standby areas for small craft awaiting transit through the locks are on the south side of the canal just west of Snell Lock and just east of Eisenhower Lock. The areas are each marked by a buoy. Mooring cells for deep-draft vessels awaiting transit are on the south side of the canal 0.9 statute mile (0.8 nm) west of Snell Lock, 1.1 statute miles (1 nm) east of Eisenhower Lock, and 1.6 statute miles (1.4 nm) west of Eisenhower Lock. Each set of mooring cells is marked at each end by a light, and all but the latter have a catwalk.

(76) **Lake St. Lawrence** is contained by Eisenhower Lock and by two dams. **Moses-Saunders Power Dam,** 3 statute miles (2.6 nm) northeast of the lock, extends from the east end of **Barnhart Island** across the International boundary to the Canadian mainland. **Long Sault Spillway Dam** connects the mainland north of Eisenhower Lock to the west end of Barnhart Island. The dam has thirty 50-foot-wide (15.2-meter-wide) vertical gates. All vessels are cautioned not to approach either dam within 1,000 feet (about 300 meters).

(77) **Security zones** have been established around the Moses-Saunders Power Dam and Long Sault Spillway Dam. (See **33 CFR 165.1** through **165.8**, **165.30** through **165.33**, and **165.911**, Chapter 2, for limits and regulations.)

(78)

Chart Datum, St. Lawrence River, Eisenhower Lock to Iroquois Lock

(79) Depths between Eisenhower Lock and Iroquois Lock are referred to the sloping surface of the river when the gauge above Eisenhower Lock indicates 237.9 feet (72.51 meters) and the gauge below Iroquois Lock reads 240.1 feet (73.18 meters). These elevations are above mean water level at Rimouski, QC, on International Great Lakes Datum 1985 (IGLD 1985). (See Chart Datum, Great Lakes System, indexed as such, Chapter 1.)

(80) A marina, part of Robert Moses State Park, is in a basin on the Northwest side of Barnhart Island. The marina is seasonal (late May through September) and can provide transient berths, a pump-out station and boat launch. A marina on the Canadian shore 2.4 statute miles (2.1 nm) northwest has transient berths, electricity, gasoline, marine supplies, sewage pump-out, water, ice and monitors VHF-FM channels 16 and 68. A 10-ton hoist for repairs is also available.

(81) **Massena Canal,** a former power canal, extends southeast from the St. Lawrence River near the upper end of the Long Sault Islands for 2.8 statute miles (2.4 nm) to the junction with Grass River. The canal is closed to navigation by a dam at either end. **Massena, NY,** at the junction of Massena Canal and Grass River, is the site of the field headquarters of the Saint Lawrence Seaway Development Corporation. (See Appendix A for address.)

(82) The Coast Guard maintains a **Marine Safety Detachment** office in Massena. (See Appendix A for address.)

(83)

Quarantine, customs, immigration, and agricultural quarantine

(84) (See Chapter 3, Vessel Arrival Inspections, and appendix for addresses.)

(85) **Quarantine** is enforced in accordance with the regulations of the U.S. Public Health Service. (See Public Health Service, Chapter 1.)

(86) Massena is a **customs port of entry.**

(87)

Wharf

(88) Metropolitan Petroleum Co., Inc. receives petroleum products at a wharf on the south side of Wiley-Dondero Canal in 44°57'57"N., 74°55'05"W. The wharf has 650 feet of berthing space with dolphins and a depth of 30 feet alongside in 1977.

(89)

ENC - Chart - *1434

(90) Coming out of Wiley-Dondero Canal on the south side of Croil Islands, the vessel route turns southwest on the south side of **Cat Island** and **Cat Island Shoal,** thence north of **Wilson Hill Island,** south of **Weaver Shoal,** north of **Bradford Island, Crysler Shoal,** and **Goose Neck Island Shoals,** between **Doran Shoal** on the east and **Broder Island** on the west, and north of **Murphy Islands** and **Murphy Shoal** to the vicinity of Morrisburg, ON.

(91) The light marking the north side of the Crysler Shoal is equipped with a racon.

(92) About 1.5 statute miles (1.3 nm) south-southwest of Crysler Shoal, a channel leads south to a marina. The marina provides gasoline, diesel fuel by truck, water, ice, electricity, sewage pump-out, some marine supplies, and a launching ramp. A 10-ton lift is available for hull and engine repairs. In 1977, depths of 4 to 8 feet were reported alongside the berths.

(93)

Calling-in point

(94) Upbound vessels shall contact "Seaway Iroquois" on VHF-FM channel 11 and downbound vessels shall contact "Seaway Eisenhower" on VHF-FM channel 12 when approximately abeam of Bradford Island. After initial contact, vessels shall guard VHF-FM channels 11 (upbound) and 12 (downbound). (See the Seaway Handbook for details.)

(95)

Anchorage

(96) A designated anchorage is on the north side of the vessel route opposite Wilson Hill Island, between Weaver Shoal and Cat Island Shoal. The northwest limit of the anchorage is marked by lighted buoys. Mariners are cautioned against anchoring near a wreck, covered 47 feet (14.3 meters), near the west end of the anchorage.

(97) **Morrisburg, ON,** is a town on the north side of the St. Lawrence River, 17 statute miles (14.8 nm) above Eisenhower Lock.

(98) The following is extracted (partial) from **Canadian Sailing Directions CEN301, St. Lawrence River, Chapter 3**. It is to be noted that the units of miles are nautical miles.

(99) *The village of* **Morrisburg** *is on the north shore opposite the* **Murphy Islands** *(44°54'N., 75°11'W.), which are wooded.*

(100) *The United Church* **spire**, *near the shore, and the* **water tower**, *50 m (164 ft) in elevation, behind the town, are* **conspicuous**.

(101) *Morrisburg Town Dock, at Morrisburg, is an L-shaped Public* **wharf** *that extends 23 m (75 ft) from the shore with an end section 33 m (108 ft) long. The wharf had depths of 2.1 m (7 ft) in 2006 and offered dockage and concrete* **ramps**.

(102) *Morrisburg Town Dock is a Canada Border Services Agency telephone reporting site for pleasure craft; to report, dial 1–888–226–7277.*

(103) *Morrisburg Boat Docks Park, east of the Public wharf offered washrooms, picnic tables, tennis courts, pay phone, drinking water, showers, children's playground and supervised swimming beach (2006).*

(104) From Morrisburg, the vessel route continues southwest between **Canada Island** and **Clark Island Shoal,** thence follows close to the Canadian shoreline around the north side of **Ogden Island** and continues southwest for about 4 statute miles (3.5 nm) to Iroquois Lock.

(105)

Currents, St. Lawrence River

(106) In 1976, currents in the main channel in the Ogden Island reach were determined to be from 2.4 to 2.7 knots. The current sets north immediately east of Canada Island. An east set into Little River may be felt at the upper end of Ogden Island.

(107) **Waddington, NY,** is a village on the south side of **Little River,** the channel of the St Lawrence River south of Ogden Island. The village wharf had a reported depth of 27 feet alongside in 1977.

(108)

Calling-in point

(109) Upbound vessels shall contact "Seaway Iroquois" on VHF-FM channel 11 when approximately abeam of the upper end of Ogden Island. After initial contact, vessels shall guard VHF-FM channel 11. (See the Seaway Handbook for details.)

(110) **Iroquois, ON,** is a village on the northwest side of the river about 7 statute miles (6.1 nm) above Morrisburg and 13 statute miles (11.3 nm) below Ogdensburg. **Iroquois Dam,** just above the village, extends from **Rockway Point** on the United States shore to **Harkness Island** on the Canadian side. The 2,700-foot-long (823 meter-long) dam is a buttressed gravity structure with 32 openings, each with a vertical-lift gate. **Iroquois Lock,**with a lift of 0.5 to 6 feet (0.1 to 1.8 meters), is between the west side of Harkness Island and Iroquois Island and provides a passage around the dam.

(111) Small pleasure craft may, at their own risk, pass through the portals of Iroquois Dam when the gates are fully open. A minimum overhead clearance of 8½ feet (2.6 meters) is provided through sluice No. 28 for downbound passage and through sluice No. 30 for upbound passage. The piers of sluice No. 28 are painted with the standard red and black channel markings on the upstream side of the dam, and the piers of sluice No. 30 are marked similarly on the downstream side of the dam.

(112) **Caution**.—Although the dam is usually operated in a fully open position, some or all of the gates may be closed or partially closed without prior notice. The Seaway Authority advises that small craft passing through the dam sluices are outside of the Authority's jurisdiction and that it is not responsible for any damage resulting from the use of these facilities.

(113)

Chart Datum, St. Lawrence River above Iroquois Dam

(114) Depths above Iroquois Dam are referred to the sloping surface of the river when the gage above Iroquois Lock indicates 240.3 feet (73.24 meters) and Lake Ontario is at Low Water Datum, elevation 243.3 feet (74.2 meters). These elevations are above mean water level at Rimouski, QC, on International Great Lakes Datum 1985 (IGLD 1985). (See Chart Datum, Great Lakes System, indexed as such, chapter 1.)

(115)

ENC - Charts - *1434, *1435

(116) The upbound channel coming out of Iroquois Lock is marked by a **205°48'** leading light on **Sparrowhawk**

Point. The vessel route leads south of **Toussaint Island,** thence north of **Galop Island, Chimney Island,** and **Chimney Point** to Ogdensburg, NY. **Old Galop Canal,** now closed to navigation, follows the Canadian shore from just below Iroquois Lock upstream for about 7 statute miles (6.1 nm). **North Channel,** the upper entrance to Old Galop Canal, is north of Chimney Island, between **Drummond Island** and **Spencer Island.**

(117)

Currents, St. Lawrence River

(118) River currents between Iroquois and Ogdensburg are generally about 2 knots. The current has a north set at the upper end of Galop Island and an east set just below Ogdensburg-Prescott Bridge. In 1976, currents between **Cardinal, ON** and **Chimney Point** were determined as follows:

(119) August 2.3 to 3.1 knots,

(120) November 2.4 to 3.1 knots,

(121) December 1.7 to 2.8 knots.

(122) Two small marinas on the U.S. shore behind Galop Island provide gasoline, diesel fuel, water, ice, electricity, some marine supplies, launching ramps, and repairs to trailerable craft.

(123)

Calling-in point

(124) Downbound vessels shall contact "Seaway Iroquois" on VHF-FM channel 11 when approximately abeam of the lower end of Galop Island. After initial contact, vessels shall guard VHF-FM channel 11. (See the Seaway Handbook for details.)

(125)

Ice booms

(126) An ice boom extends from the southwest end of Galop Island across the navigational channel to the south end of **Lame Squaw Island** during the non-navigation season. The 400-foot (122-meter) section across the channel is marked by lights. The connected logs that form the boom are anchored to the river bottom through a series of anchors and cables that extend about 500 feet (about 150 meters) upstream. The ice boom may be opened when required for movement of vessels. Other ice booms with similar anchorages, but not across the navigation channel, are on the west side of Chimney Point and between the U.S. mainland and Galop Island.

(127) The Ogdensburg-Prescott International Bridge, a suspension span with a clearance of 131 feet (40 meters) across the ship channel, crosses the St. Lawrence River 10 statute miles (8.7 nm) above the Iroquois Lock. The north and south piers of the bridge are equipped with a racon.

(128) In December 1980, a ship's anchor was reported about 0.5 statute mile (0.4 nm) above the Ogdensburg-Prescott Bridge in about 44°43'48"N., 75°28'03"W.

(129)

Lower Lakes Terminal

(130) The following is extracted (partial) from **Canadian Sailing Directions CEN301, St. Lawrence River, Chapter 3**. It is to be noted that the units of miles are nautical miles.

(131) *The* **Port of Prescott** *(44°44'N., 75°28'W.), on the northwest shore 0.5 mile upstream of the bridge, is a major trans-shipment point for grain. This terminal at one time was administered and operated by Ports Canada as the Lower Lakes Terminal; it is now administered by the Township of Edwardsburg/Cardinal. The Port Manager is available at 1–613–925–4228. In 2007, 42 ships used the port.*

(132) *The Port of Prescott is a Canada Border Services Agency commercial vessel reporting site. For more information, contact the Border Information Service, at 1–800–461–9999 for service in English or 1–800–959–2036 for service in French, or visit: cbsa-asfc.gc.ca.*

(133) *The grain elevator, a long narrow structure with wharves on both sides, has a capacity of 154,020 tonnes of grain. Railway car loading facilities are at the inshore end of the elevator. The railway yard has space for 125 cars.*

(134) *There is a fluorescent-orange rectangular* **daymark** *on the southeast side of the grain elevator.*

(135) *Self-unloading vessels, only, can discharge grain products or bulk cargoes at the port.*

(136) *The unloading berth, slip "B", on the north side of the elevator, is 398 m (1,306 ft) long, with a depth of 7.9 m (26 ft). There is a hopper for receiving grain discharged by ships. The loading berth, slip "A", on the south side of the elevator, is 282 m (925 ft) long and had a depth of 7.6 m (25 ft) in 1992. This berth is equipped with eleven spouts for loading grain. There is also berthing space for vessels waiting to load or unload. The wharves have an elevation of 2.7 m (8.8 ft). For the loading of railway cars or trucks, there are four elevator legs with a capacity of 476 tonnes per hour.*

(137) *There is an open stockpile area of 5,580 m² (60,060 ft²) north of the Harbour Front Dock, opposite unloading slip "B", for the storage of salt and nitrates. There is an open stockpile area of 2,415 m² (25,990 ft²) south of Port Dock, opposite slip "A".*

(138) *Caution.—In 1994, there was a* **submerged obstruction** *23 m (75 ft) east of the NE corner of the jetty on the south side of slip "A". This obstruction is a pile or metal object, submerged by 7.7 m (25 ft).*

(139) *Pilots and tugs are available for berthing at the Port of Prescott; pilots require four hours notice.*

(140)

ENC -
Chart - *1435

(141) **Ogdensburg, NY,** is a town and harbor on the southeast side of the St. Lawrence River about 42 statute miles (36.5 nm) above Snell Lock and 62 statute miles

(53.9 nm) below Lake Ontario. The harborfront is separated from the main river channel by an extensive shoal bank. The **Oswegatchie River** enters the St. Lawrence River near the upper end of the harbor.

(142)

Channels

(143) Entering from the St. Lawrence River, the upper entrance to the harbor is through a dredged channel leading to the mouth of the Oswegatchie River, thence upstream to just below the third highway bridge. The harbor's lower entrance is through the turning basin at the east end of the harbor and thence through the city-front channel to the mouth of the Oswegatchie River. The channel limits are marked by lighted and unlighted buoys.

(144) In 2014, the controlling depths were 17 feet (5.2 meters) in the upper (west) entrance channel to the mouth of the Oswegatchie River, thence 17 feet (5.2 meters) in the city-front channel to the junction with the upper entrance channel, with lesser depths to 13 feet (4 meters) along the edges, and 15 feet (4.6 meters) in the Oswegatchie River channel to the project limit below the third highway bridge. The lower (east) entrance channel has a project depth of 19 feet (5.8 meters) to East Entrance Lighted Buoy 4, however, the local port authority has deepened and widened the channel to their dock. General depths of 19 to 21 feet (5.8 to 6.4 meters) were available in the turning basin with lesser depths along the south edge.

(145) **Caution**.—Ruins of a ferry pier extend from shore on the west side of the upper entrance channel.

(146)

Bridges

(147) Fixed highway bridges crossing Oswegatchie River 0.6, 0.63, and 0.7 statute mile (0.5, 0.55, and 0.6 nm) above the entrance have a least clearance of 8 feet (2.7 meters).

(148)

Quarantine, customs, immigration, and agricultural quarantine

(149) (See Chapter 3, Vessel Arrival Inspections, and appendix for addresses.)

(150) **Quarantine** is enforced in accordance with the regulations of the U.S. Public Health Service. (See Public Health Service, Chapter 1.)

(151) Ogdensburg is a **customs port of entry.**

(152)

Wharf

(153) **Ogdensburg Bridge and Port Authority Marine Terminal**: (44°42'32"N., 75°29'11"W.); 1,250-foot face; 27 feet alongside; deck height, 8-10 feet; 75,000 square feet covered storage; three open storage areas with a 120,000-ton capacity; two portable electric conveyers; water and electrical shore-power connections; receipt and shipment of general and bulk cargo; owned and operated by Ogdensburg Bridge and Port Authority.

(154)

Supplies

(155) Diesel oil, water, provisions, and some marine supplies are available at Ogdensburg.

(156)

Small-craft facilities

(157) Marinas at Ogdensburg can provide transient berths, gasoline, water, ice, electricity, pump-out facility, marine supplies and launching ramps.

(158)

Ice boom

(159) An ice boom extends from shore just above Ogdensburg across the river to Prescott, ON, during the non-navigation season. A 400-foot (121.9 meters) section across the navigation channel is marked by lights. The connected logs that form the boom are anchored to the river bottom by a series of anchors and cables that extend about 500 feet (152.4 meters) upstream. The ice boom may be opened when required for movement of vessels.

(160) **Prescott, ON,** is a town on the northwest side of the river opposite Ogdensburg.

(161) The following is extracted (partial) from **Canadian Sailing Directions CEN301, St. Lawrence River, Chapter 3**. It is to be noted that the units of miles are nautical miles.

(162) *The town of* **Prescott***, with a population of 4,180 (2006), is on the northwest shore 3 miles upstream of the suspension bridge. Prescott has rail and bus services. By the Seaway channel, Prescott is 110 miles from Montréal.*

(163) *The Canada Border Services Agency (CBSA) has an office in Prescott. For more information, contact Border Information Service, at 1–800–461–9999 for service in English or 1–800–959–2036 for service in French, or visit: www.cbsa-asfc.gc.ca.*

(164) *A ruined ferry slip fronts a landfill area at the east end of the Prescott waterfront.*

(165) *Sandra S. Lawn Harbour Marina, west of the landfill area, had depths of 2.1 m (7 ft) in 2006 and offered dockage with power and water, pump out, picnic area, pay phone, showers, laundromat, ice, gasoline and diesel fuel, and monitored VHF Channel 68. This marina is an authorized dealer for Canadian Hydrographic Service nautical* **charts** *and publications.*

(166) *Prescott Heritage Harbour* **light** *(312.5) is at the south side of the entrance to the marina.*

(167) *A* **wreck***, submerged 10.5 m (34 ft), is close offshore at the west end of the marina breakwater.*

(168) *In Prescott, the* **blockhouse** *of Fort Wellington, elevation 29 m (95 ft); the Anglican Church* **spire***, elevation 55 m (180 ft); and a* **water tower** *with an elevation of 61 m (200 ft) are* **conspicuous***. A grey silo with a red and white top, elevation 45 m (148 ft), is southwest of the town.*

(169) *Along the waterfront, west of the marina, are a breakwall and a wharf owned by the town. The breakwall is 66 m (216 ft) long, with an elevation of 1.8 m (6 ft).*

There were depths of 3.4 to 5.8 m (11 to 19 ft) along the face (2006). From early May until late September, pleasure craft can berth at this breakwall. The wharf called Prescott Town Dock, is for the use of pleasure craft. The wharf is 76 m (249 ft) long with a deck elevation of 1.8 m (6 ft). There were depths of 5.2 to 7.3 m (17 to 24 ft) along the face (2006).

(170) *Sandra S. Lawn Harbour Marina and Prescott Town Dock are Canada Border Services Agency telephone reporting sites for pleasure craft; to report, dail 1–888–226–7277.*

(171) *The Canadian Coast Guard (CCG) maintains a base in Prescott. There is a Marine Communications and Traffic Services (MCTS) centre, dockage for several small to medium CCG vessels and a work area with several warehouse buildings.*

(172) *At the Prescott Canadian Coast Guard base there are two wharves, each 100 m (328 ft) long with an elevation of 1.8 m (6 ft). There were depths of 4.6 to 5.8 m (15 to 19 ft) at the outer face of the downstream wharf and 3.4 and 5.5 m (11 to 18 ft) at the outer face of the upstream wharf; the basin between the two wharves had depths of 1.8 to 3.7 m (6 to 12 ft) in 2006. There is a buoy storage and repair depot and a helicopter hangar near the downstream wharf.*

(173) *The shore property for 305 m (1,001 ft) upstream of the Canadian Coast Guard base is the municipal Centennial of Confederation Prescott Community Park. Facilities include an excellent concrete launching ramp, picnic area, swimming pool, river-side swimming area, tennis courts, children's playground, drinking water and showers (2006).*

(174) *Caution.—Mariners and small-craft operators are cautioned that the wash from passing ships may cause an uncomfortable* **surge** *at the Prescott wharves.*

(175) *Caution.—The testing of various aids to navigation may be heard and seen in the vicinity of the Prescott Canadian Coast Guard base. Mariners should not confuse aids being tested with the standard channel aids.*

(176) *A* **submerged water intake** *0.16 mile upstream of the Canadian Coast Guard Base extends 90 m (295 ft) offshore; the crib at the outer end has a depth of 5.2 m (17 ft).*

(177) *Prescott Anchorage, with 8 anchorage areas, is in the river upstream of Prescott.*

(178) *Anchorage is prohibited in a* **cable area***, 0.5 mile wide, that extends across the river from Prescott to Ogdensburg, northeast of the anchorage area.*

(179) Above Ogdensburg the river is deep and wide for about 10.5 statute miles (9.1 nm) to the **Three Sisters Islands,** and the vessel route follows a general midriver course. **Catamaran Shoal,** covered 12 feet (3.7 meters), is marked on the north side by a buoy about 8 statute miles (7 nm) above Ogdensburg. At the Three Sisters Islands, the vessel route extends between **McNair Island** and **North McNair Shoal.** The shoal has a least depth of 14 feet (4.3 meters) and is marked on the south side by a buoy.

(180)

Calling-in point

(181) Downbound vessels shall contact "Seaway Iroquois" on VHF-FM channel 11 when about 1.5 statute miles (1.3 nm) below Catamaran Shoal. After initial contact, vessels shall guard VHF-FM channel 11. (See the Seaway Handbook for details.)

(182)

ENC - US5NY61M
Charts - *1435, 14770

(183) **Morristown, NY**, is a village and small-craft harbor on a small inlet on the southeast side of the river opposite the Three Sisters Islands. A dredged basin just off the public dock had depths of 5 to 9 feet in 2016.

(184)

Small-craft facilities

(185) A public dock and launching ramp are on the east side of the inlet. In 1977, a depth of 10 feet (3 meters) was reported alongside the dock. Two marinas at Morristown provide transient berths, gasoline, diesel fuel by truck, water, ice, electricity, sewage pump-out, some marine supplies, and a launching ramp. A 5-ton mobile lift is available for hull and gasoline engine repairs.

(186)

Brockville, ON

(187) The following is extracted (partial) from **Canadian Sailing Directions CEN301, St. Lawrence River, Chapter 3**. It is to be noted that the units of miles are nautical miles.

(188) *The city of* **Brockville***, with a population of 21,957 (2006), is on the northwest shore 10 miles southwest of Prescott. The downstream limit of the harbour is 0.1 mile southwest of McNair Island; the upstream limit is near* **Smith Island** *and* **Refugee Island** *(44°34'N., 75°42'W.). Brockville has bus and rail services. By the Seaway channel, Brockville is 119 miles from Montréal.*

(189) *The Canada Border Services Agency (CBSA) has an office in Brockville. For more information, contact the Border Information Service, at 1-800-461-9999 for service in English or 1-800-959-2036 for service in French, or visit: www.cbsa-asfc.gc.ca.*

(190) **Blockhouse Island,** *connected to the mainland by a causeway at its northeast end, is a municipal park.* **Tunnel Bay** *is the inner end of the basin protected by Blockhouse Island.*

(191) *A* **submerged water intake** *0.3 mile northeast of Blockhouse Island extends 220 m (722 ft) offshore.*

(192) *The Blockhouse Island jetty (44°35'N., 75°41'W.) extends southwest from Blockhouse Island. A Golden Hawk aerobatic jet plane mounted on a pedestal on Blockhouse Island jetty is prominent. Brockville Public* **wharf***, on the Blockhouse Island jetty, is 142 m (466 ft) long and had depths of 0.6 to 3 m (2 to 10 ft) in 2006.*

Facilities included dockage with power and water, picnic area, pay phones and ice.

(193) *A* **conspicuous** *town* **clock tower**, *elevation 42 m (138 ft), is north of Blockhouse Island. A* **conspicuous water tower** *0.75 mile northwest of the Public wharf has an elevation 74 m (243 ft).*

(194) The stretch of river from Brockville upstream to Lake Ontario is thickly strewn with large and small islands known as the **Thousand Islands.** No attempt is made here to mention each island and shoal in the group. The nautical charts are the best guide and are a necessity for navigating any portion of this stretch.

(195) **Brockville Narrows** is a partially dredged reach about 3 statute miles (2.6 nm) long that extends upstream from just above Brockville. The channel leads close to the Canadian shore through a group of islands that fill the river from bank to bank. The channel that parallels Brockville Narrows close to the New York shore is not suitable for deep-draft vessels. Numerous shoal spots of less than 2 feet (0.6 meter) are between the New York shore and the main channel.

(196)

Currents

(197) In 1976, currents in Brockville Narrows were determined to be from 1.3 to 2.4 knots.

(198)

ENCs - US5NY61M, US5NY62M
Charts - *1435, 14770, 14771

(199) Coming out of Brockville Narrows, the vessel route extends southwest between **Cole Ferry Shoal** and **Cole Shoal.** This reach is marked at the lower end by a **036°55'** lighted range. At **Whaleback Shoal,** about 3 statute miles (2.6 nm) above Brockville Narrows, the vessel route turns south southwest for 2.5 statute miles (2.2 nm) on the east side of **Bay State Shoal** and **Crossover Island.** This reach is marked by a **013½°** lighted range and by Chippewa Point Directional Light at the lower and upper end, respectively.

(200)

Anchorage

(201) A designated anchorage marked by buoys is on the west side of the vessel route abreast the turn at Whaleback Shoal.

(202)

Calling-in point

(203) Upbound vessels shall contact "Seaway Clayton" on VHF-FM channel 13 and downbound vessels shall contact "Seaway Iroquois" on VHF-FM channel 11 when approximately abeam of Crossover Island. After initial contact, vessels shall guard VHF-FM channels 13 (upbound) and 11 (downbound). (See the Seaway Handbook for details.)

(204) A natural deepwater channel marked by lights and buoys leads southwest from the turn at Whaleback Shoal and roughly follows the Canadian shore north of **Grenadier Island.**

(205) **Oak Point, NY**, is a small summer resort on the southeast side of the river 2.4 statute miles (2.1 nm) above the upper end of Brockville Narrows. Boats drawing not more than 6 feet (1.8 meters) can land here, but caution is advised to avoid the shoals and small islands in the landing approach.

(206) **Blind Bay** is a small inlet just east of Chippewa Point Directional Light. A sign marks the east side of the entrance. Several overhead cables with a reported least clearance of 28 feet (8.5 meters) cross the entrance channel. In 1977, a reported depth of 4 feet could be carried along the north shore to a marina in the northeast corner. Some marine supplies and gasoline engine repairs are available.

(207)

ENC - US5NY62M
Charts - *1436, 14771

(208) From Blind Bay, the vessel route follows a series of short reaches across the mouth of Chippewa Bay and passes northwest of **Superior Shoal**, southeast of**Dark Island**, northwest of **Haskell Shoal**, thence southeast of Grenadier Island on the southeast sides of **Empire Shoal** and **Sister Island Shoal**, northwest of **Third Brother Island**, and southeast of **Lone Brother Island.**

(209) **Chippewa Bay**, on the southeast side of the river, is enclosed by **Chippewa Point, Cedar Island,** and **Oak Island.** The bay is filled with numerous small islands, rocks, and shoals; local knowledge is advised. **Chippewa Bay, NY,** a village on the east side of the bay, can be reached by boats drawing 4 feet. **Schermerhorns Landing,** 2.5 statute miles (2.2 nm) southwest, has a marina with gasoline, water, ice, electricity, some marine supplies, and a launching ramp. A 5-ton forklift can haul 21-foot (6.4-meter) boats for hull and gasoline engine repairs.

(210)

ENC - US5NY63M
Charts - *1437, 14772

(211) From Lone Brother Island, the vessel route continues southwest, between **Ironsides Shoal** on the northwest and **Ironsides Island** and **Inner Ironsides Shoal** on the southeast, thence southeast of **Whiskey Island Shoal** off the mouth of Goose Bay.

(212) **Goose Bay** is on the southeast side of the St. Lawrence River, southeast of Whiskey Island Shoal and the upper end of Grenadier Island. The bay is very shallow and has a mud bottom with numerous rocks.

(213)

ENCs - US5NY63M, US5NY64M, US5NY65M

Charts - *1436, *1437, *1438, *1439, 14772, 14773, 14774

(214) **Canadian Middle Channel** branches west from the main vessel course at Ironsides Island and leads through the Thousand Islands on the Canadian side of the International boundary, thence between Wolfe Island and Howe Island and into Lake Ontario in the vicinity of Kingston, ON. The channel is marked by lights and buoys.

(215)

Speed limit

(216) There is a speed limit of 9.5 knots (10.9 mph) over the ground for all vessels over 40 feet (12.2 m) in length in the Canadian Middle Channel and adjacent waters.

(217) Above Ironsides Island, Canadian Middle Channel leads past the southwest end of Grenadier Island, thence through **Raft Narrows** along the mainland. The main channel through the narrows is crossed by a fixed highway bridge with a clearance of 120 feet. Above the narrows, the channel divides around Wood Island, along the north side upbound and the south side downbound. Thence the channel leads between **Wallace Island** and **Ash Island**, southwest past **The Navy Islands**, and through the south part of **The Lake Fleet Islands** to a point north of **The Punts**,thence south of **Leek Island** and into the deep wide water between Wolfe and Howe Islands.

(218)

ENC - US5NY63M
Charts - *1437, 14772

(219) The following is extracted (partial) from the **Canadian Sailing Directions CEN 301, St. Lawrence River, Chapter 5**. It is to be noted that the units of miles are nautical miles.

(220) **Rockport** *is a resort community on the Canadian mainland 0.4 mile west of Tar Island light.*

(221) *At Rockport, a Public* **wharf** *30 m (98 ft) long and 6.1 m (20 ft) wide, with a deck elevation of 1.8 m (6 ft), extends in a southwest direction from the south end of the waterfront. There are depths of 2.1 to 2.7 m (7 to 9 ft) at the outer end of this wharf. There is a public boat launching* **ramp** *north of the wharf. The L-shaped former Public* **wharf** *north of the ramp is condemned and fenced off.*

(222) **Ivy Lea**, *part of Leeds and the Thousand Islands Township, is a summer resort on the Canadian mainland 0.5 mile NNW of Ash Island.*

(223) *At the east end of Ivy Lea is an L-shaped Public* **wharf** *known as Ivy Lea Township Dock; the outer face is 35 m (115 ft) long with an elevation of 1.5 m (5 ft) and a depth of 0.7 m (2 ft). There is a launching* **ramp** *next to the Public wharf.*

(224)

ENC - US5NY65M
Charts - *1438, 14774

(225) **Gananoque, ON,** is a town at the mouth of **Gananoque River,** about 12 statute miles (10.4 nm) west of Rockport and 18 statute miles (15.6 nm) east of Kingston.

(226) The following is extracted (partial) from **Canadian Sailing Directions CEN301, St. Lawrence River, Chapter 5.** It is to be noted that the units of miles are nautical miles.

(227) *The town of Gananoque, with a population of 5,285 (2006), is built along both sides of the Gananoque River. A swing bridge crosses near the mouth of the river, and a road bridge crosses 0.3 mile upstream. The swing bridge has a vertical clearance of 4.4 m (14 ft) when closed; it is opened only on application to the town authorities. Between the two bridges, the stream is 45 m (148 ft) wide with wooden wharves along both shores. The shore east of the town to Sturdivants Point, 2.5 miles away, rises to an elevation of 12 m (40 ft).*

(228) *A Public* **wharf,** *with a total length of 177 m (581 ft) and an elevation of 1.8 m (6 ft), extends SW along the shore from the mouth of the river.*

(229) *Gananoque Municipal Marina, on the north shore west of the Gananoque river, had depths of 0.7 to 2.6 m (2 to 9 ft) in 2006, and offered dockage with power and water, pump out,* **ramp**, *picnic area, pay phone, showers, Laundromat, ice, and a free shuttle to the facilities in Gananoque, most of which are within walking distance. The entrance to the basin is between a headland to the east and the east end of a combined breakwater and boom which protects the basin.*

(230)

ENC - US4NY20M
Charts - *1439, *2017, 14802

(231) **Kingston Harbour,** serving the city of **Kingston, ON,** is on the north side of the head of the St. Lawrence River at the mouth of **Cataraqui River.**

(232)

Rideau Waterway

(233) **The Rideau Waterway** connects the Ottawa River at **Ottawa, ON,** with the head of the St. Lawrence River at Kingston. From Ottawa, the waterway follows the **Rideau River** upstream to its source in the **Rideau Lakes**, a distance of 123.5 statute miles (107.3 nm). For description of the Rideau Waterway consult **Canadian Small Craft Guide, Rideau Waterway and Ottawa River**.

(234)

ENC - US5NY63M
Charts - *1437, 14772

(235) From Whiskey Island Shoal, the main vessel route leads southwest between the **Summerland Group** on the northwest and the **Excelsior Group** on the southeast. **Deer Island,** close southwest of the Summerland Group, is marked on the southeast side by a light.

(236) Above Deer Island, the vessel route passes the lower end of **Wellesley Island** and leads southeast of the **Manhattan Group, Frontenac Shoal** and **Pullman Shoal**, and northwest of **Sunken Rock Island, Sunken Rock Shoal** and **Cherry Island.**

(237) **Westminster Park, NY**, is a summer resort at the lower end of Wellesley Island. The wharves at the village are in ruins and submerged.

(238) **Alexandria Bay, NY**, is a summer resort village on the southeast side of the river opposite the lower end of Wellesley Island. Wharves at the village are easily approached from the river. **Broadway Shoal,** in the approach to the village, has a depth of 13 feet (4 meters) and is marked by a buoy.

(239)

Quarantine, customs, immigration, and agricultural quarantine

(240) (See Chapter 3, Vessel Arrival Inspections, and appendix for addresses.)

(241) **Quarantine** is enforced in accordance with the regulations of the U.S. Public Health Service. (See Public Health Service, Chapter 1.)

(242) **Alexandria Bay Coast Guard Station** is on the southeast side of Wellesley Island about 1,000 feet west of Cherry Island.

(243) Alexandria Bay is a **customs port of entry**.

(244)

Small-craft facilities

(245) Small bays at either end of the village have anchorage for boats drawing 6 to 11 feet (1.8 to 3.4 meters). The 460-foot (140-meter) village dock, about 0.25 statute mile (0.2 nm) northeast of Cherry Island, had a reported depth of 7 feet (2.1 meters) alongside in 1977. Marinas at Alexandria Bay provide gasoline, diesel fuel, water, ice, electricity, sewage pump-out, marine supplies, and launching ramps. Mobile lifts to 60 tons and a 15-ton marine railway that can handle 80-foot (24.4 meter) craft are available for hull, engine, and electronic repairs. Machine shops can repair shafts up to 3 inch diameter.

(246)

ENCs - US5NY63M, US5NY64M
Charts - *1437, 14772, 14773

(247) **American Narrows (Upper Narrows)** separates Wellesley Island from the U.S. mainland for about 6 statute miles (5.2 nm) from Cherry Island southwest to the upper end of Wellesley Island. The channel through the narrows is generally deep, has a least width of 450 feet (137 meters), and is well marked by lights and buoys. The channel is bordered throughout its length by small islands and shoals.

(248) The lower entrance to the narrows is marked by a **218°** leading light at the village of Point Vivian, about 1 statute mile (0.9 nm) southwest of Cherry Island.

(249)

Currents

(250) In 1976, currents from Alexandria Bay to Point Vivian were determined to be from 1.2 to 1.5 knots. In 1976, the current at the Thousand Islands Bridge was determined to be 2.8 knots.

(251) In 1977, it was reported that the river current often reaches 2 knots in the entrance to the narrows from about 0.3 to 0.8 statute mile (0.3 to 0.7 nm) above Cherry Island and thence 1.5 to 2 knots southwest to Swan Bay.

(252) **Swan Bay** and **Brown Bay** are shallow inlets about 2.5 statute miles (2.2 nm) above Cherry Island on the southeast and northwest sides of the narrows, respectively. During the summer, gasoline is available at a small marina on the northeast side of Swan Bay. In 1977, the reported depths were 3 feet (0.9 meter) in the approach and 6 feet (1.8 meter) alongside.

(253) **Thousand Islands Bridge,** a suspension span with a clearance of 150 feet (45.7 meters), crosses the narrows just west of Swan Bay.

(254) **Niagara Shoal,**covered 3 feet and marked on the north side by a lighted buoy, is on the southeast side of the narrows 1.5 statute miles (1.3 nm) above the bridge. Coming out of the narrows at the upper end of Wellesley Island, the vessel route passes southeast of **Granite State Shoals,** marked by a light, and northwest of **Rock Island Reef,** marked by a lighted buoy.

(255) **Fineview, NY**, is a small settlement on Wellesley Island just below Granite State Shoals. A dock at the settlement is suitable for skiffs only because of many rocks off the end. In 1977, the reported depths were less than 2 feet (0.6 meter) alongside.

(256) **Thousand Island Park**, is a private summer resort at the upper end of Wellesley Island. In 1977, the resort dock had a reported depth of 10 feet (3 meters) alongside, but the dock approach from the river channel is narrow and obstructed by numerous rocks.

(257) **Fishers Landing, NY**, is a settlement 0.8 statute mile (0.7 nm) southeast of Fineview on the west side of **Mullet Creek Bay**. Marinas can provide gasoline, ice, some marine supplies, and launching ramps. Forklifts can haul out craft to 5 tons for hull and gasoline engine repairs. In 2002, depths of 6 to 12 feet (1.8 to 3.5 meters) were reported available at the berths.

(262)

(258)

ENCs - US5NY64M, US5NY65M
Charts - *1437, 14773, 14774

(259) Above American Narrows, the vessel course is through a wide area of generally deep water. The route passes northwest of **Little Round Island** and **North Colborne Island,** marked by a light, thence southeast of **Chapman Shoal,** marked by a light and racon, and thence between **Washington Island** to southeast and **Calumet Island** to northwest.

(260) A marina on the east side of **Spicer Bay,** about 1.2 statute miles (1 nm) east of Little Round Island, provides gasoline, water, ice, electricity, some marine supplies, and a launching ramp. A 12-ton fixed lift can handle 36-foot (11-meter) craft for hull and engine repairs. In 1977, the reported controlling depths were 4 feet (1.2 meters) in the approach and 5 feet (1.5 meters) alongside the berths.

(261) **Clayton, NY**, is on the southeast side of the St. Lawrence River about 20 statute miles (17.4 nm) below Lake Ontario. **Grindstone Island** is in midriver northwest of Clayton, and Washington Island is close to shore northeast of the village.

(263) A causeway connects Washington Island to Clayton. The fixed span near the island end of the causeway has two 33-foot (10.1-meter) openings, each with a clearance of 6 feet (1.8 meters).

(264)

Quarantine, customs, immigration, and agricultural quarantine

(265) (See Chapter 3, Vessel Arrival Inspections, and appendix for addresses.)

(266) **Quarantine** is enforced in accordance with the regulations of the U.S. Public Health Service. (See Public Health Service, Chapter 1.)

(267) Clayton is a **customs port of entry**.

(268)

Small-craft facilities

(269) The deep water of the river extends to within a short distance of the wharves at Clayton, at which there are depths up to 24 feet (7.3 meters). The city dock reported depths of 4 to 20 feet (1.2 to 6.1 meters) alongside in 1977. The dock has a 2 hour mooring limit. The municipal dock, marked at the outer end by a private light, is at the foot of Mary Street. In 1977, depths of 4 to 20 feet were reported alongside. Submerged ruins are on the south side at the inner end of the dock. Water and electricity are available.

(270) Several marinas at Clayton and on Calumet Island provide gasoline, diesel fuel, water, ice, electricity, sewage pump-out, marine supplies, and launching ramps. Lifts to 30 tons and a 50-ton marine railway that can handle 65-foot (19.8-meter) craft are available for hull, engine, and electronic repairs. Mast-stepping service is available at Calumet Island.

(271) Above Clayton and Calumet Island, the vessel course passes southeast of **Calumet Shoal,** marked by a light, and thence north of **Bartlett Point.** A light is close off the point. A 16-foot spot is marked by a buoy about 0.5 statute mile (0.4 nm) west-northwest of Bartlett Point.

(272)

ENCs - US4NY20M, US5NY65M
Charts - *1438, 14802, 14774

(273) About 3 statute miles (2.6 nm) above Bartlett Point, the International boundary passes between the west end of Grindstone Island and the east end of Wolfe Island and thence follows close to the south shore of Wolfe Island into Lake Ontario.

(274) Between the upper end of Grindstone Island and **Hickory Island,** an unmarked channel of natural deep water leads from the main vessel route north to connect with Canadian Middle Channel. The channel is bordered closely by islands, rocks, and shoals.

(275) The following is extracted from **Canadian Sailing Directions CEN301, St. Lawrence River, Chapter 4**.

(276) **Wolfe Island Cut**, *close off the east end of Wolfe Island, is a dredged channel connecting the Seaway channel and the open water between Wolfe and Howe Islands. This channel, 140 meters (459 feet) wide, has a depth of 6.1 m (20 feet) in its southeast entrance; the channel is marked by* **buoys** *and* **light buoys**.

(277) *A* **submerged power cable** *crosses Wolfe Island Cut from Wolfe Island to Arabella Island and continues on to Hickory Island. A* **submerged telephone cable** *also crosses the cut form Wolfe Island to Arabella Island.*

(278) *Wolfe Island* **light** *(378), is on* **Quebec Head** *(44°14'N., 76°11'W.), which is the northeast end of Wolfe Island.*

(279)

ENC - US4NY20M
Charts - *1438, *1439, 14802

(280) **Wolfe Island** is a large irregularly shaped island that extends from the broad entrance of the St. Lawrence River at Lake Ontario downriver for about 18 statute miles (15.6 nm). The island is about 6 statute miles (5.2 nm) wide at the head of the river; downstream it diminishes in width and is indented by numerous bays.

(281) From Bartlett Point, the vessel course continues southwest for about 6 statute miles (5.2 nm), passing southeast of the lower end of Wolfe Island and northwest of the light that marks **Linda Island**. A shoal with a least depth of 11 feet (3.4 meters) is marked at the north end by a lighted buoy 0.9 statute mile (0.8 nm) west of Linda Island. Near this shoal the course turns west, parallel to the Wolfe Island shore, and is marked at the west end by a directional light on **Bayfield Island**.

(282) A marina on the east side of **Millen Bay,** 2.8 statue miles (2.4 nm) southwest of Linda Island, provides transient berths, gasoline, water, electricity, some marine supplies, a launching ramp, and minor repairs. In 1977, the reported controlling depths were 5 feet (1.5 meters) in the approach and 2 to 10 feet (0.6 to 3 meters) at the berths.

(283) The vessel course turns south between **Carleton Island** on the east and **Carpenter Point** on the west and is marked at the lower end by a **013°20'** lighted range on **Irvine Point. Hinckley Flats Shoal,** on the west side of this reach, is marked on the east side by two lighted buoys. **Feather Bed Shoal,** on the east side of the channel, is marked by a lighted buoy.

(283.001) **Special anchorages** are in the waters west of Sand Bay and in the waters southwest of Fuller Bay, (See **33 CFR 110.209,** Chapter 2, for limits and regulations.)

(284) **Cape Vincent, NY**, is a village and small-craft harbor on the south side of the St. Lawrence River about 3 statue miles (2.6 nm) below Lake Ontario. A dredged channel leads along the city front on the St. Lawrence River. The channel is protected by a 1,380-foot-long (420-meter) breakwater which parallels the shore; the ends of the breakwater are marked by lights. In 2016, the controlling depth was 16 feet (4.8 meters) in the channel.

(285)

Quarantine, customs, immigration, and agricultural quarantine

(286) (See Chapter 3, Vessel Arrival Inspections, and appendix for addresses.)

(287) **Quarantine** is enforced in accordance with the regulations of the U.S. Public Health Service. (See Public Health Service, Chapter 1.)

(288) Cape Vincent is a **customs port of entry**.

(289)

Harbor regulations

(290) (See **33 CFR 207.610**, Chapter 2, for harbor regulations.)

(291)

Small-craft facilities

(292) Deep water can be carried to the docks in the harbor, and vessels up to 10-foot (3-meter) draft can be accommodated. Marinas in the harbor provide transient berths, gasoline, diesel fuel, water, ice, electricity, sewage pump-out, some marine supplies, and a launching ramp. Mobile lifts to 16 tons are available for hull, engine, and electronic repairs.

(293)

Ferry

(294) Automobile and passenger ferries operate seasonally from Cape Vincent to Point Alexandria on Wolfe Island.

(295) **Point Alexandria** (44°08'12"N., 76°21'18"W.) is at the outer end of **Hornes Point**, a jutting peninsula at the southeast end of Wolfe Island opposite Cape Vincent. A ferry pier is at Point Alexandria.

(296)

Calling-in points

(297) Upbound and downbound vessels shall contact "Seaway Clayton" on VHF-FM channel 13 when

approximately abeam of Point Alexandria. After initial contact, vessels shall guard VHF-FM channels 16 (upbound) and 13 (downbound). (See the Seaway Handbook for details.)

(298) A lighted buoy in about 44°07'10"N., 76°22'36", marks the outer edge of a 19-foot shoal. **Bear Point**(44°05'42"N., 76°26'36"W.), at the head of the St. Lawrence River, is the southernmost point of Wolfe Island. A buoy 0.6 statute mile (0.5 nm) south-southwest of the point marks the outer edge of a shoal with depths of 11 feet. **Big Sandy Bay** and **Reeds Bay,** on the southwest side of Wolfe Island, are separated by **Long Point.** A shoal extends 1.3 statute miles (1.1 nm) west-southwest from Long Point and is marked near the outer end by a buoy. **Horseshoe Island** is off **Staley Point** at the northwest end of Wolfe Island.

(299) Above Cape Vincent, the vessel course extends southwest for about 4 statute miles (3.5 nm) to the waters of Lake Ontario. **Tibbetts Point Light** (44°06'02"N., 76°22'14"W.), 69 feet above the water, is shown from a white conical tower on the New York shore at the head of the St. Lawrence River. **Tibbetts Point Traffic Lighted Buoy** is about 1.8 statute miles (1.6 nm) west of the light.

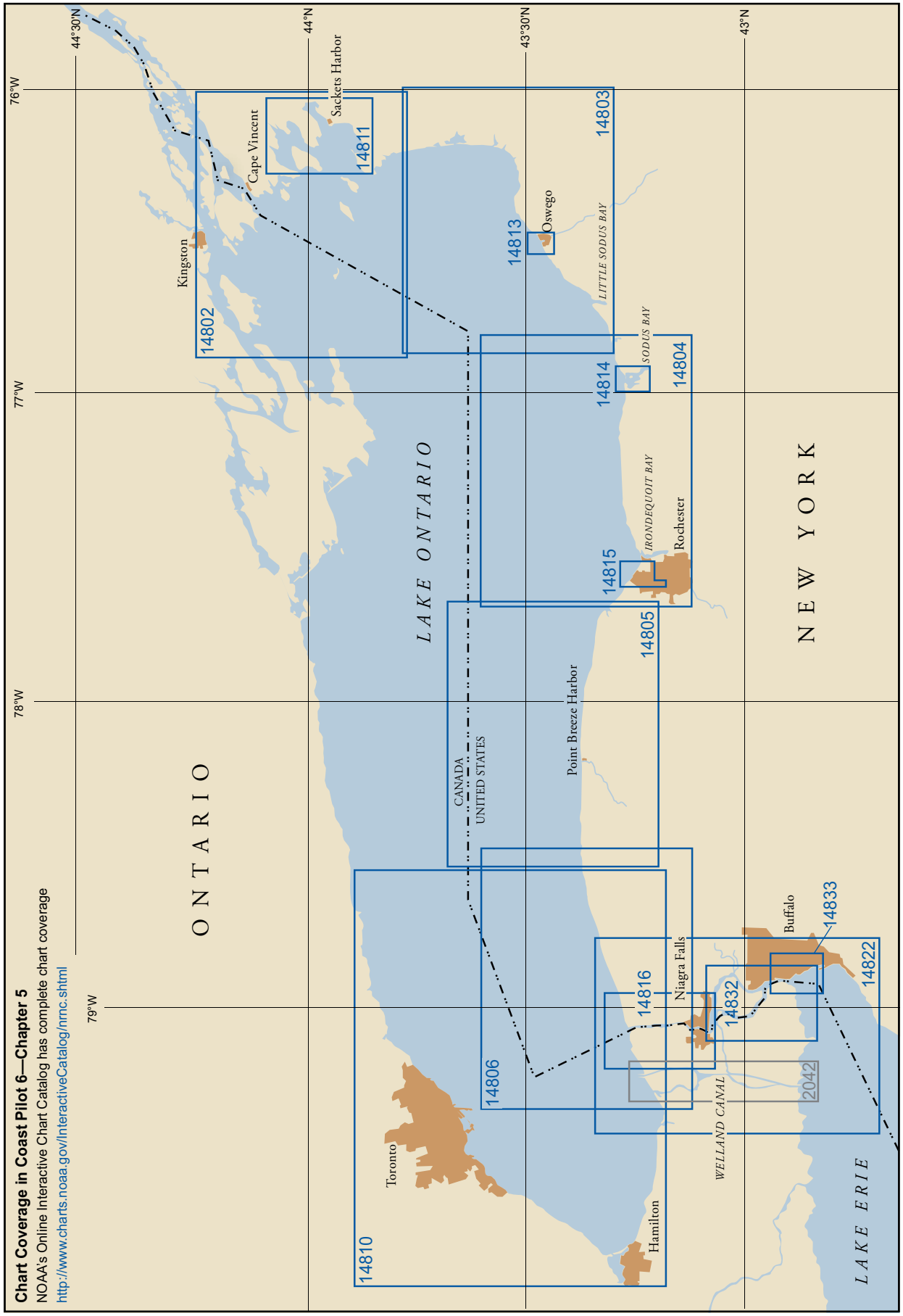


Chart Coverage in Coast Pilot 6—Chapter 5
NOAA's Online Interactive Chart Catalog has complete chart coverage
http://www.charts.noaa.gov/InteractiveCatalog/nrnc.shtml
44°30'N
44°N
43°30'N
43°N
76°W
77°W
78°W
79°W
ONTARIO
LAKE ONTARIO
NEW YORK
LAKE ERIE
CANADA
UNITED STATES
Kingston
Cape Vincent
Sackets Harbor
Oswego
LITTLE SODUS BAY
SODUS BAY
IRONDEQUOIT BAY
Rochester
Point Breeze Harbor
Toronto
Hamilton
Niagara Falls
Buffalo
WELLAND CANAL
14802
14811
14803
14813
14814
14804
14815
14805
14810
14806
14816
14832
14833
14822
2042

Lake Ontario

(1)

Chart Datum, Lake Ontario

(2) Depths and vertical clearances under overhead cables and bridges given in this chapter are referred to Low Water Datum, which for Lake Ontario is an elevation 243.3 feet (74.2 meters) above mean water level at Rimouski, QC, on International Great Lakes Datum 1985 (IGLD 1985). (See Chart Datum, Great Lakes System, indexed as such, Chapter 1.)

(2.001)

Lake Ontario Dimensions

Description	Length/Area
St. Lawrence River—Burlington Bay Light to Tibbetts Point (steamer track)	180 miles
St. Lawrence River—Port Dalhousie to Tibbetts Point (steamer track)	160 miles
Burlington Bay (west end) to Sackets Harbor	193 miles
Breadth at longitude 77°35'W	53 miles
Maximum recorded depth	802 feet
Water surface (including Niagara River and St. Lawrence River above Iroquois Dam)	3,560 sq mi (U.S.) 3,990 sq mi (Canada)
Drainage basin (including Niagara River and St. Lawrence River above Iroquois Dam)	18,760 sq mi (U.S.) 16,090 sq mi (Canada)

(3) <3-10 Deleted>

(11)

General description

(12) **Lake Ontario** is the smallest and easternmost of the Great Lakes. The lake is comparatively deep; the greatest depth is 802 feet, and the average depth is 283 feet, much in excess of the greatest depth of Lake Erie. Lake Ontario is fed chiefly by the waters of Lake Erie by way of the Niagara River. The lake drains at its northeast end into the St. Lawrence River. Welland Canal bypasses the falls and rapids of the Niagara River and provides a navigable connection between Lake Ontario and the upper lakes.

(13) The great depth of the lake limits fluctuations of water level caused by winds and renders them comparatively small. The lake is generally free of outlying shoals and obstructions. The only significant shoals dangerous to navigation are those in the northeast end of the lake in the approach to the St. Lawrence River and those of Niagara Bar off the mouth of the Niagara River. The latter shoal is in the course of vessels plying between the Welland Canal and ports at the east end of the lake.

(14) The waters of Lake Ontario and the Welland Canal are part of the St. Lawrence Seaway and are under the navigational control of the Saint Lawrence Seaway Development Corporation, a corporate agency of the United States, and the Saint Lawrence Seaway Management Corporation of Canada. These agencies issue joint regulations covering vessels and persons using the Seaway. The regulations are codified in **33 CFR 401**, and are also contained in the Seaway Handbook, published jointly by the agencies. A copy of the regulations is required to be kept on board every vessel transiting the Seaway. A schedule of the Seaway tolls is contained in the handbook. (See St. Lawrence Seaway, Chapter 3, and **33 CFR 401**, Chapter 2.)

(15) Vessels bound for Lake Ontario from the St. Lawrence River below Montreal are limited by the size of the locks in the river, and vessels bound from Lake Ontario to the upper lakes are limited by the size of the locks in the Welland Canal. The maximum authorized dimensions for vessels navigating the St. Lawrence Seaway locks are 730 feet overall length, 76 feet extreme breadth, and 26 feet draft. (For complete information on vessel dimension restrictions, refer to the Seaway Handbook, and for supplemental information, to the Seaway Notices.)

(16)

Vessel traffic control

(17) Lake Ontario and the Welland Canal are divided into three traffic control sectors, with vessel movements in each sector controlled by a traffic controller. The objective of the system is to provide safe and efficient scheduling of vessel traffic, efficient search and rescue coverage, information regarding pilot requirements to the pilot dispatch centers, marine weather broadcasts, and information on vessel location to all interested parties.

(18) The traffic control sectors are as follows: Sector 4, from Crossover Island in the St. Lawrence River to midlake in Lake Ontario; Sector 5, the west half of Lake Ontario; Sector 6, Welland Canal and its approaches.

(19) Massena traffic control center controls traffic in the Lake Ontario portion of Sector 4 through "Seaway Sodus," VHF-FM channel 13. St. Catharines traffic control center controls traffic in Sector 5 through "Seaway Newcastle," VHF-FM channel 11, and in Sector 6 through "Seaway Welland," VHF-FM channel 14.

(20)

Calling-in points

(21) Calling-in points on Lake Ontario follow:

(22) **Sodus Point.**–Upbound and downbound vessels shall contact "Seaway Sodus" on VHF-FM channel 13

(33.0010)

METEOROLOGICAL TABLE – COASTAL AREA LAKE ONTARIO
Between 43.0°N to 44.2°N and 76.0°W to 79.9°W

WEATHER ELEMENTS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	ANNUAL
Wind > 33 knots [1]	1.8	0.6	0.4	1.0	0.2	0.1	0.1	0.2	0.4	2.0	3.5	6.2	1.2
Wave Height > 9 feet [1]	1.8	0.6	0.5	0.5	0.2	0.1	0.0	0.1	0.3	1.4	2.4	2.7	0.7
Visibility < 2 nautical miles [1]	19.1	11.5	9.5	5.5	11.3	13.0	6.9	5.6	5.5	4.0	4.9	7.8	7.6
Precipitation [1]	16.0	9.4	12.4	13.1	8.8	6.8	5.2	5.9	9.3	11.0	16.8	22.0	10.2
Temperature > 69° F	0.0	0.0	0.0	0.1	1.5	8.7	41.7	47.1	12.9	0.6	0.0	0.0	12.7
Mean Temperature (°F)	25.2	27.9	35.3	41.3	49.8	60.1	69.3	69.7	62.7	52.1	42.2	32.9	54.0
Temperature < 33° F [1]	67.5	63.7	26.8	6.1	0.2	0.0	0.0	0.0	0.1	0.5	11.2	44.3	5.9
Mean RH (%)	86	83	83	80	83	85	81	80	80	79	80	85	82
Overcast or Obscured [1]	44.8	38.8	38.9	31.8	29.7	24.1	16.8	19.7	25.0	27.9	44.9	50.3	28.7
Mean Cloud Cover (8ths)	5.7	4.7	5.1	4.7	4.8	4.4	4.0	4.1	4.5	4.9	6.0	6.3	4.8
Mean SLP (mbs)	1017	1020	1017	1015	1015	1014	1014	1016	1017	1017	1016	1018	1016
Ext. Max. SLP (mbs)	1046	1037	1039	1043	1034	1032	1035	1037	1038	1039	1043	1042	1046
Ext. Min. SLP (mbs)	989	988	990	978	977	986	995	992	989	984	983	988	977
Prevailing Wind Direction	W	SW	NW	W	W	SW	SW	SW	SW	W	W	W	W
Thunder and Lightning [1]	0.0	0.0	0.5	0.8	1.0	1.8	2.0	2.0	1.4	0.8	0.2	0.3	1.2

[1] Percentage Frequency

when approximately abeam of Point Petre, ON. After initial contact, vessels shall guard VHF-FM channel 16.

(23) **Mid-Lake Ontario.**–Upbound vessels shall contact "Seaway Newcastle" on VHF-FM channel 11 and downbound vessels shall contact "Seaway Sodus" on VHF-FM channel 13 upon arrival at a point in mid-lake in about 43°41'N., 77°47'W. After initial contact, vessels shall guard VHF-FM channel 16.

(24) **Newcastle.**–Upbound and downbound vessels shall contact "Seaway Newcastle" upon arrival at a point about 16 miles south of Newcastle, ON, and when about 8 miles north of Thirtymile Point, NY on VHF-FM channel 11. After initial contact, vessels shall guard VHF-FM channel 16.

(25) Complete information on the traffic control sectors and their respective calling-in points is contained in the Seaway Handbook.

(26)

Fluctuations of water level

(27) The normal elevation of the lake surface varies irregularly from year to year. During the course of each year, the surface is subject to a consistent seasonal rise and fall, the lowest stages prevailing during the winter and the highest during the summer. In addition to the normal seasonal fluctuations, oscillations of irregular amount and duration are also produced by storms. Winds and barometric pressure changes that accompany squalls can produce fluctuations that last from a few minutes to a few hours. At other times, strong winds of sustained speed and direction can produce fluctuations that last a few hours or a day. These winds drive forward a greater volume of surface water than can be carried off by the lower return currents, thus raising the water level on the lee shore and lowering it on the windward shore. This effect is more pronounced in bays and at the extremities of the lake, where the impelled water is concentrated in a small space by converging shores, especially if coupled with a gradually sloping inshore bottom which even further reduces the flow of the lower return currents.

(28) Lake Ontario has less of a seiche problem than some of the other lakes. These irregular oscillations of the water surface are less pronounced in range because of the lake's smaller area and deep water along with a general symmetrical shape. There is also a lesser number of high- and low-pressure centers that pass directly over the lake.

(29)

Weather, Lake Ontario

(30) Navigation-season winds are strongest in autumn. Gales are most likely from October through December and blow out of the southwest through northwest. This is particularly true at the east end of the lake, where a funneling effect may occur with west and southwest winds, which prevail throughout most of the year. As these winds encounter land, on either side of the lake, near the Thousand Islands, they are accelerated. A moderate blow in midlake often becomes a dangerous gale in this restricted area. Another local problem area is Mexico Bay, north of Oswego. This was once known as "the graveyard of Lake Ontario" because ships foundered there in northwest through northeast winds. In spring, northeasterlies and easterlies occasionally reach gale force throughout the lake. May through August is often the most troublefree time; windspeeds of 16 knots or less are encountered 80 percent or more of the time. The strongest sustained measured wind on the lake was west-north-westerly at 50 knots. This short period record (17 years) occurred in November. Since extremes along the shore range from 50 to 65 knots, it could be expected that an extreme on the lake could reach 90 knots. The prevailing southwest and west winds are most persistent in winter and summer. Winds with northerly components are also common in winter as are those with southerly

components in summer. Autumn and spring winds are more variable.

(31) While visibilities are restricted by rain, snow, haze, and smoke, fog is the most frequent and troublesome cause. On Lake Ontario, prolonged periods of rain and foggy weather are common when frontal systems moving into New York become stationary. In the spring, advection fog reduces visibilities to below 0.5 statute mile (0.4 nm) up to 10 percent of the time. It is usually worst during the morning hours. Along the shore, radiation fog is common in autumn under calm, clear nighttime skies. This fog sometimes drifts out over the water; it usually burns off by noon. Visibilities of 2.5 statute miles (2.2 nm) or less occur on about 10 to 13 days per month from October through March along the shore.

(32) While rough seas can be encountered in any season, they are most often a problem during fall and winter. From October through February, wave heights of 5 feet (1.5 m) or more can be expected 10 to near 20 percent of the time and 10 feet (3 m) or more up to 2 percent of the time. Extreme wave heights of 17 to 19 feet (5 to 6 m) have been encountered. Since strong winds over a long fetch of water are conducive to creating rough seas, strong winds out of the east and west quadrants over Lake Ontario are often danger signals. Sea conditions are best from May through July when waves of less than 1 foot (0.3 m) occur 50 percent or more of the time.

(33) Thunderstorms can occur at any time, but are mostly a summertime problem. Along the shore, they are recorded on 20 to 30 days annually; about 75 percent or more brew up from May through September. They are most likely during the late afternoon. Over the open lake, thunderstorms are most likely during August when they occur about 2 percent of the time. Summertime thunderstorms are mostly nocturnal creatures over the lake; they are most frequent between sunset and sunrise.

(34)

Ice

(35) The main part of Lake Ontario usually remains open throughout the winter, with only a few patches of thin ice and slush during cold spells. Its small area and great depth give Lake Ontario a large heat storage capacity. In addition, the land portion of the basin contributes more runoff to its lake than any of the other lakes. These factors retard the growth of ice in fall and aid its rapid decay in spring. During a normal winter, early ice cover appears toward the end of January and early decay begins in mid-March. During severe winters, extensive slush develops for brief periods, but the significant ice is confined to the east end of the lake. East of Prince Edward Point, ice formation begins in early January. The area from Kingston to Prince Edward Point and Oswego is usually covered 70 to 90 percent with thin and medium lake ice by the end of the month. This thickness increases during February and reaches the thick category by early March, but the extent is unchanged except for drifting patches of slush along the Canadian shore. By this time, fast ice about 20 to 25 inches thick usually extends in a north arc from Prince Edward Point to Stony Point. Decay generally develops in early March, and by the third week most of the pack has melted in place rather than drifting down the river. (See Winter Navigation, Chapter 3.)

(36)

Local magnetic disturbances

(37) Differences from normal variation of about 006°W to 007°E have been observed at numerous locations throughout Lake Ontario. Differences of up to 37° have been observed in the approach to Kingston, ON, on the north side of the head of the St. Lawrence River. The locations of these anomalies are shown on NOAA chart 14500.

(38)

Routes

(39) The Lake Carriers' Association and the Canadian Shipowners Association have recommended, for vessels enrolled in the associations, the following separation of routes for upbound and downbound traffic in Lake Ontario.

(40) Downbound vessels from Port Weller to Cape Vincent from a position 0.5 mile off Port Weller breakwaters, shall lay a course of **048°** for 8.5 miles to pass not more than 1.5 miles off Niagara Bar Lighted Buoy 2; thence **074°** for 103 miles to a position not less than 7 miles off Point Petre; thence **069°** for 27 miles to a position 3.5 miles to East Charity Shoal Traffic Lighted Buoy.

(41) Downbound vessels from Toronto, Port Credit, or Clarkson from a position not less than 2.5 miles off Gibraltar Point shall lay a course **085°** 113.75 miles to a position not less than 7 miles off Point Petre; thence recommended downbound courses of **069°** and **039°** to East Charity Shoal Traffic Lighted Buoy.

(42) Downbound vessels from Port Weller to Toronto, from a position 0.5 mile off Port Weller breakwaters, shall lay a course of **314°** for 4 miles; thence **349°** for 20 miles to a position not less than 3.8 miles off Toronto Main Harbour Channel range front light.

(43) Downbound vessels from Port Weller to Hamilton, from a position 0.5 mile off Port Weller breakwaters, shall lay a course **314°** for 4 miles; thence **273°** for 25 miles to Burlington Canal Entrance Lighted Bell Buoy MH.

(44) Upbound vessels from Cape Vincent to Port Weller, from East Charity Shoal Traffic Lighted Buoy, shall lay a course **240°** for 14.5 miles to a position 0.5 mile off Psyche Shoal Lighted Bell Buoy 12; thence **249°** for 22.5 miles to a position not more than 3 miles off Point Petre; thence **254°** for 102 miles to a position not less than 5.5 miles off Niagara Bar Lighted Buoy 2; thence **212°** for 11.25 miles to a position 0.5 mile off Port Weller breakwaters.

(45) Upbound vessels from Cape Vincent to Toronto, Port Credit, and Clarkson, from a position not more than 3 miles off Point Petre, shall lay a course of **263°** for 113.25 miles to a position more than 2.8 miles off Toronto Main Harbour Channel range front light; thence to destination.

(46) Upbound vessels from Toronto to Port Weller, from a position not less than 3.8 miles off Toronto Main Harbour Channel Range Front Light, shall lay a course **163°** for 23.5 miles to a position 0.5 mile off Port Weller breakwaters.

(47) Upbound vessels from Hamilton to Port Weller, from a position 0.5 mile off Burlington piers, shall lay a course 098° for 28.7 miles to a position 0.5 mile off Port Weller breakwaters.

(48) It is understood that masters may exercise discretion in departing from these courses when ice and weather conditions are such as to warrant it. The recommended courses are shown on chart 14800, Lake Ontario.

(49) **Caution**.—A special use airspace is in midlake in U.S. waters bounded by the following coordinates:

(50) 43°37'N., 76°45'W.;

(51) 43°24'N., 76°45'W.;

(52) 43°24'N., 78°00'W.; and

(53) 43°37'N., 78°00'W.

(54) The area may be used for military purposes from the surface to an altitude of 50,000 feet. The using agency is the Commander, 21st Air Div., Hancock Field, Syracuse, NY. Consult Local Notice to Marines for additional information and firing schedules.

(55)

Pilotage

(56) The waters of Lake Ontario are Great Lakes undesignated waters; registered vessels of the United States and foreign vessels are required to have in their service a United States or Canadian registered pilot or other officer qualified for Great lakes undesignated waters. The Welland Canal and its approaches are Great Lakes designated waters; registered vessels of the United States and foreign vessels are required to have in their service a United States or Canadian registered pilot. Registered pilots for Lake Ontario and Welland Canal are supplied by the Great Lakes Pilotage Authority, Ltd., St. Catharines. (See Appendix A for address.) Pilot exchange points are off Cape Vincent, NY, 1 to 2 miles north of Port Weller, and at the south end of Welland Canal 1 to 2 miles south of Port Colborne. (See Pilotage, Chapter 3, and **46 CFR 401**, Chapter 2.)

(57)

Principal ports

(58) The principal ports on Lake Ontario are at Oswego and Rochester, NY, and at Hamilton and Toronto, ON. These harbors have been improved by dredging by the United States and Canadian governments, respectively, and provide access for vessels up to 26-foot draft. At Cape Vincent, NY, a harbor protected by a breakwater provides refuge for vessels who find that storm conditions render it unsafe to venture into the open lake from the head of St. Lawrence River. The largest drydock on Lake Ontario is at Port Weller in the Welland Canal.

(59)

ENC - US4NY20M
Chart - 14802

(60) The shoreline southeast for about 11 miles from Tibbetts Point to Point Peninsula is irregular, with numerous bays and outlying islands and shoals.

(61) **Tibbetts Point**, 3 miles southwest of Cape Vincent, NY, is on the south side of the main ship channel leading from the St. Lawrence River to Lake Ontario. **Tibbetts Point Light** (44°06'02"N., 76°22'14"W.), 69 feet above the water, is shown from a white conical tower on the point. Reefs extend off about 1,000 feet around the point, and a rock ledge, with a least depth of 18 feet near its outer end, extends about 1 mile southwest from the point. A lighted buoy marks the southwest end of the ledge.

(62) **Wilson Point** is about 1 mile southeast of Tibbetts Point and is separated from it by **Fuller Bay,** which extends inshore about 0.5 mile. A rocky spit, with 11 feet near its outer end and shoaler water inside, extends about 0.6 mile southwest from Wilson Point. **Wilson Bay,** a rectangular indentation about 1 mile long and 0.5 mile wide, opens between Wilson Point on the north and **Dablon Point** on the south. The bay has depths of 10 to 20 feet, but the deep water at the entrance narrows between the spit extending from Wilson Point and a shallow bank extending 0.9 mile west from Dablon Point. This bank has a depth of 11 feet at the outer end and a 4-foot spot 0.65 mile west of Dablon Point.

(63) **Mud Bay**, a narrow, shallow inlet about 1.4 miles long, is east of Dablon Point with **Baird Point** on its south side.

(64) **Grenadier Island**, 2.3 miles long and 1.4 miles in maximum width, is 0.8 mile southwest of Baird Point. **Fox Island,** east of Grenadier Island, is irregularly shaped, about 0.8 mile across at its south end and quite narrow at its north end. Between Fox Island and Grenadier Island is a shallow passage about 0.6 mile wide, with depths of 6 to 8 feet. An expanse of shallow water with mud bottom separates both islands from the shore. The shallow water extends off the southwest side of the islands as much as 1.2 miles and extends southeast to Point Peninsula.

(65) **Allan Otty Shoal**, about 4.7 miles southwest of Tibbetts Point Light, is a narrow ridge about 0.5 mile long east and west, with rocks covered 10 feet along the north edge. A lighted buoy marks the southeast side of the shoal.

(66) **Charity Shoal**, **East Charity Shoal,** and **South Charity Shoal,** 5 to 6 miles west of Grenadier Island, form a group of outlying rock obstructions in the approach to the south channel of the St. Lawrence River.

(67) Charity Shoal, the northernmost, is a narrow rocky ledge about 0.7 mile long and 0.25 mile wide, with a least depth of 1 foot near the west edge. A buoy marks the west side of the shoal.

(68) East Charity shoal, southeast of Charity Shoal, has a least depth of 8 feet and is marked by a light. The passage

between Charity and East Charity Shoals is rendered unsafe by South Charity Shoal, a narrow ridge about 0.9 mile southwest of East Charity Shoal Light, having a least depth of 11 feet. The southwest extremity of South Charity Shoal is marked by a lighted buoy. About 3.7 miles south-southwest of South Charity Shoal, a detached 25-foot shoal is marked by a lighted buoy. An unmarked shoal with a least depth of 24 feet is about 5.5 miles southwest of South Charity Shoal.

(69) East Charity Shoal Traffic Lighted Buoy is about 1.5 miles southeast of East Charity Shoal Light. Vessels bound from and to the south channel of the St. Lawrence River should pass close on this buoy and well to the east and south of East Charity Shoal Light.

(70)

ENCs - US4NY20M, US6NY27M, US5NY27M
Charts - 14802, 14811

(71) **Point Peninsula** (44°00'N., 76°15'W.), an almost detached body of land about 6 miles long and 3 miles wide, is joined to the mainland on its northwest side by a narrow neck. Shoaling extends as much as 1.2 miles off the west side and around the south end. A lighted buoy 1 mile south of the southwest end of the peninsula marks the south side of the shoaling. Between the southeast side of the peninsula and **Pillar Point** on the mainland opposite, a deep channel extends northeast to Chaumont and Guffin Bays. The channel has general depths greater than 30 feet except for a shoal with depths of 22 to 28 feet which generally parallels the southeast end of the peninsula.

(72) Between Point Peninsula and Stony Point, 8 miles south, a group of large deep bays, including Chaumont Bay, Guffin Bay, Black River Bay, and Henderson Bay, open to the north and east.

(73) **Chaumont Bay**, about 20 miles by deep water from Tibbetts Point, is separated from Lake Ontario by Point Peninsula and the adjoining mainland point. It is a large and well-protected area with depths of 18 to 30 feet of water to within 0.4 mile of shore, except for shoals in the southwest end and shoals extending about 1.5 miles southeast from Three Mile Point on the north side of the bay. The bay provides good anchorage, mud bottom.

(74) **Three Mile Bay, NY**, is a village at the north end of **Three Mile Bay,** a small bay on the north side of Chaumont Bay. In 1977, the reported controlling depth through the bay to the village was 3 feet, thence 2 feet to and in the marina. Gasoline, ice, marine supplies, a launching ramp, and limited repairs are available.

(75) At the northeast end of Chaumont Bay, **Independence Point** extends from the mainland to form two arms, the northeast end of Chaumont Bay on the northwest side of the point and **Sawmill Bay** on the southeast side. **Johnson Shoal,** with a least depth of 2 feet, extends southwest for about 1.4 miles from Independence Point and is marked on the southeast side by a lighted buoy.

(76) **Chaumont, NY**, a village at the northeast end of Chaumont Bay, can be approached on the northwest side of Independence Point or through Sawmill Bay on the southeast side of the point. The Sawmill Bay approach is marked by a light on the southeast side of Independence Point, and deep water in the harbor is marked by buoys and a daybeacon.

(77) The **Chaumont River** flows through the village and into Chaumont Bay on the northwest side of Independence Point. A fixed highway bridge at the mouth of the river has a clearance of 20 feet, and an overhead telephone cable on the north side of the bridge has a clearance of 22 feet. The pier remains of a railroad bridge 0.1 mile northeast provide a horizontal clearance of 50 feet. An overhead cable of unknown clearance crosses the river at the pier remains.

(78) Several marinas provide limited transient berths, gasoline, water, ice, electricity, sewage pump-out, marine supplies, launching ramps, a 25-ton marine railway, mobile lifts to 25 tons, a mast-stepping crane, and hull and engine repairs. In 1977, the reported controlling depths were 5 to 10 feet to the Sawmill Bay facilities with 5 to 8 feet alongside, and 5 feet to the facilities above the highway bridge crossing Chaumont River.

(79) Chaumont has several stone quarries.

(80) **Guffin Bay** is east of Chaumont Bay and is separated from it by **Point Salubrious** and Cherry Island. The bay has good water except for about 0.5 mile of its head, where **Guffin Creek** enters. The deep portion affords good anchorage in 22 to 36 feet with mud bottom.

(81) **Cherry Island**, on the west side of Guffin Bay, is marked by a light on the southwest end. The passage between the northeast end of Cherry Island and Point Salubrious is about 0.5 mile wide with depths of 15 to 19 feet except for a detached 11-foot shoal about 650 feet off Point Salubrious.

(82) **Black River Bay**, opening about 6 miles east of the southwest end of Point Peninsula, is entered between **Everleigh Point** on the north side and **Horse Island** on the south side. The bay is about 1 mile wide and extends northeast for about 5.5 miles. The water is deep through the bay and close to the shores except for a very shallow expanse filling the upper 1.5 miles. **Black River** enters at the head of the bay. A depth of about 5 feet can be carried through the shallows and between the submerged ruins of breakwaters at the mouth of the river upstream to the village of Dexter, about 1 mile above the mouth. The channel is marked by private lighted and unlighted buoys that are shifted to mark the best water.

(83) **Sackets Harbor, NY**, is on the southeast side of Black River Bay, about 22 miles by water from Tibbetts Point. The harbor, about 7 acres in extent, is protected on the north side by **Navy Point.** Lights on the north side of Horse Island and on Navy Point mark the approach to the harbor. Good anchorage is available with sand, mud, gravel and rock bottom, taking care to avoid anchoring over the submarine cable in the southeast part of the basin.

(84) A seasonal **Coast Guard station** is on the north side of the basin.

(85) Several marinas at Sackets Harbor provide gasoline, diesel fuel, water, ice, electricity, sewage pump-out, marine supplies, launching ramps, mobile lifts to 8 tons, and hull and minor engine repairs. In 1977, depths of 3 to 15 feet were reported alongside the facilities.

(86) **Henderson Bay**, southwest of Black River Bay on the east side of Stony Point, is a broad indentation separated from Lake Ontario by a line of shoals and small islands extending from Stony Point northeast to Horse Island. The bay is about 7 miles long and 2 miles wide. Once inside, the bay is clear with depths of 20 to 40 feet close to the shore except at the east end. Shoals extend 0.7 mile southwest from Horse Island and continue south to **Campbell Point** where a shoal, with a least depth of 2 feet and marked by a buoy, extends about 1 mile west. The bay provides good anchorage, mainly sand and mud bottom.

(87) **Bass Island**, 1.5 miles southwest of Horse Island, and **Gull Island,** 0.9 mile south-southwest of Bass Island, are on a very small bank that extends 0.2 mile northeast from Bass Island and 0.5 mile southwest from Gull Island. The deep channel between the shoals off Horse and Bass Islands, about 0.7 mile wide, is the northeast entrance to Henderson Bay.

(88) A partly submerged projection of land extends about 2 miles northeast from Stony Point and terminates in **Six Town Point**. **Lime Barrel Shoal**, with a least depth of 1 foot, is the northeast end of shallow water that extends 1.2 miles northeast from Six Town Point. A lighted buoy on the west side of the shoal marks a small-craft passage with depths of 11 to 14 feet between Lime Barrel Shoal and Six Town Point. A deepwater passage between Lime Barrel Shoal and Gull Island has depths of 23 to 33 feet.

(89) **Henderson Harbor** is a small summer resort on the northeast side of **Henderson Harbor,** a small inlet at the south end of Henderson Bay. In 1977, the reported controlling depth to marinas in the south end of the harbor was 4 feet with 2 to 10 feet reported alongside the berths. The marinas provide transient berths, gasoline, diesel fuel, water, electricity, ice, sewage pump-out, marine supplies, launching ramps, mobile lifts to 15 tons, a 45-foot marine railway, and hull, engine, and electronic repairs.

(90) **Special anchorages** are in Henderson Harbor. (See **33 CFR 110.1** and **110.87**, Chapter 2, for limits and regulations.)

(91) **Whites Bay**, with good depths, and **Snowshoe Bay**, small and shallow, are indentations in the west shore of Henderson Bay northwest of Henderson Harbor. A privately maintained channel connecting Snowshoe Bay with Lake Ontario has depths of about 3 feet through a cut in the narrow peninsula on the northeast side of Stony Point. A bridge across the channel has a 30-foot fixed span with a clearance of 12 feet.

(92)

ENC - US4NY20M
Chart - 14802

(93) **Stony Point** (43°51'03"N., 76°16'18"W.) is a bold headland extending west from Henderson Bay with deep water close-to. **Stony Point Light** (43°50'20"N., 76°17'56"W.) 40 feet above the water is shown from a skeleton tower with triangular red dayboard on the west end of the point.

(94) **Stony Island** is about 2.2 miles northwest of Stony Point. The channel between the mainland and the island is broad and deep and is occasionally used by tows bound to and from the St. Lawrence River. A rocky ledge with least depths of 2 feet extends about 2.3 miles southwest from Stony Island. **Calf Island** is on the west part of the ledge, and the southwest end of the ledge is marked by a buoy. A detached rock ledge with a least depth of 13 feet is about 1 mile south of the buoy. A shoal with a least depth of 14 feet extends 0.4 mile off the northeast end of Stony Island and is marked on the east side by a lighted buoy. **Dutch John Bay** is a small bight of deep water on the west side of Stony Island. From the head of the bay, a narrow strip of water extends southwest almost through the length of the island.

(95) **Little Galloo Island**, about halfway between the southwest ends of Stony and Galloo Islands, is on a bank 1 mile long and 0.5 mile wide, with broad and deep channels to either side. A detached 24-foot spot is in the channel southwest of the island.

(96) **Galloo Island** is 2.4 miles west of Stony Island. **Gill Harbor,** on the northeast side of Galloo Island, provides shelter for small craft. The harbor is enclosed by a gravel spit across which a channel has been dredged. In 1961, the controlling depth was 7 feet in the entrance channel.

(97) **North Pond**, near the north end of the island, has a depth of 3 feet. The entrance is through a narrow channel along a crib pier at the east end of the pond. In 1976, the controlling depth was 2 feet in the entrance.

(98) Shoals extend about 0.6 mile off the northeast and southwest ends of the island.

(99) **Galloo Shoal**, about 1.3 miles west of Galloo Island Light, has a least depth of 3 feet, and is marked off its west side by a lighted buoy. Vessels bound to and from the St. Lawrence River should pass west of the buoy, although there is a deep passage about 0.8 mile wide between the shoal and Galloo Island.

(100) An unmarked snag, covered 16 feet, is 0.4 mile northeast of Galloo Shoal, and an unmarked wreck is 1 mile northeast of the shoal.

(101)

ENCs - US4NY20M, US4NY22M, US5NY22M
Charts - 14802, 14803

(102) From Stony Point the coast trends generally south for about 22 miles, and thence west for about 7 miles to Nine

Mile Point. **Mexico Bay** is the broad, open formation in the bend east of Nine Mile Point.

(103) The shoreline, for about 4 miles southeast of Stony Point, is a series of irregular indentations with a rocky bank extending as much as 0.9 mile offshore. About 4.5 miles southeast of Stony Point, **Drowned Island,** covered 1 foot, is on a bank that extends 1 mile offshore and is marked by a buoy.

(104)

ENCs - US4NY22M, US5NY22M
Chart - 14803

(105) The lakeshore south of Drowned Island is relatively straight for about 17 miles with deep water about 1 mile off. In this stretch, several shallow ponds, fed by numerous creeks, are practically cut off from the lake by narrow ridges of shore.

(106) **North Pond**, about 13 miles south of Stony Point, is separated from the lake by a long, narrow neck of land. The narrow, continually shifting entrance channel had a reported controlling depth of 3 feet in 1977. Local knowledge is advised. The pond, about 3.5 miles long and 2 miles wide, has depths of 6 to 13 feet with shoaling to lesser depths along the shore and on the north, east, and south sides. Several marinas on the pond provide berths, gasoline, ice, marine supplies, sewage pump-out, launching ramps, a 3-ton mobile hoist, and engine and hull repairs. In 1977, depths of 2 to 4 feet were reported alongside the berths.

(107) **Sandy Pond** is a village at the south end of the pond.

(108) The **Salmon River** empties into Mexico Bay about 6 miles south of North Pond entrance. A dredged channel is in the approach and entrance to the river, and leads about 0.5 mile to the town of **Selkirk**. The channel is protected by breakwaters at the entrance. The outer ends of the breakwaters are marked by lights and the channel is marked by buoys.

(109) **Little Salmon River** enters the southeast side of Mexico Bay. The town of **Texas** is 1 mile above the mouth.

(110) In Mexico Bay, from Selkirk to **Nine Mile Point** (43°31'30"N., 76°22'00"W.), the bottom is rock, and deep water is within 1 mile of the shore. The headland west of Nine Mile Point is relatively deep-to, and southwest to Oswego shallow water extends no more than 1 mile offshore.

(111) The James A. Fitzpatrick Nuclear Power Plant and the Niagara Mohawk Power Corp. Nine Mile Point Nuclear Station is on the headland west of Nine Mile Point. A **security zone** has been established in the waters just offshore of the power plant and station. (See **33 CFR 165.1** through **165.30** and **165.911**, Chapter 2, for limits and regulations.)

(112)

ENCs - US4NY22M, US5NY22M, US5NY28M
Charts - 14803, 14813, 14786

(113) **Oswego Harbor,** at the mouth of the **Oswego River,** is on the south shore of Lake Ontario about 15 miles from its east end and about 45 miles south of Tibbetts Point at the head of the St. Lawrence River. The harbor serves the city of **Oswego, NY,** and is the terminus of the Oswego Canal of the **New York State Canal System.** The harbor comprises an outer breakwater harbor of refuge and an inner terminal harbor in the Oswego River. Because most of the very severe storms are from the west and northwest, with a fetch the entire length of the lake, the outer harbor is an important harbor of refuge for vessels in this part of the lake. There is a hospital in Oswego.

(114) An unmarked **dumping ground** with a least reported depth 35 feet is about 1.5 miles north-northwest of the entrance of Oswego Harbor.

(115)

Prominent features

(116) The strobe-lighted stacks at the powerplant 1 mile west of the river mouth are prominent in the harbor approach.

(117)

Channels

(118) A dredged approach channel leads east from the lake south of a detached breakwater and between converging breakwaters into the outer harbor of refuge. From the outer harbor, the inner harbor extends up the Oswego River for 0.5 mile along the Oswego piers. Another channel, protected by an extension of the west breakwater, extends southwest from the outer harbor along the shore to a turning basin. (See Notice to Mariners and the latest edition of the chart for controlling depths.) The breakwaters are marked by lights, and the channels by lighted and unlighted buoys. A mariner activated sound signal is at the light on the west breakwater, initiated by keying the microphone five times on VHF-FM channel 83A.

(119) Mooring vessels to the breakwaters, and anchoring in the outer harbor where it will interfere with navigation, are prohibited.

(120) The **Oswego Canal** of the New York State Canal System enters Oswego Harbor through a dredged canal on the east side of the Oswego River above the Bridge Street bridge. This bridge has a clearance of 26 feet above normal pool level, New York State Canal System datum. (For information on the Oswego Canal, see Chapter 14, Hudson River, New York Canals, and Lake Champlain.)

(121)

Dangers

(122) It is reported that during flood river conditions currents in the river attain velocities up to 5 mph (4.3 knots).

(123) A 7-foot spot is off the east face of the Port of Oswego Authority Wharf at the west side of the mouth of the river in about 43°27'53"N., 76°30'53"W.; caution is advised.

(124)

Quarantine, customs, immigration, and agricultural quarantine

(125) (See Chapter 3, Vessel Arrival Inspections, and appendix for addresses.)

(126) **Quarantine** is enforced in accordance with the regulations of the U.S. Public Health Service. (See Public Health Service, Chapter 1.)

(127) Oswego is a **customs port of entry.**

(128)

Coast Guard Station

(129) **Oswego Coast Guard Station** is on the south side of the outer basin 0.2 mile west of the mouth of Oswego River.

(130)

Wharves

(131) **NRG Energy Oswego Station Wharf** (43°27'37"N., 76°31'51"W.): 650 feet of berthing space with 21 feet alongside and a deck height 11 feet; one pipeline extends to four storage tanks with a capacity of 1,548,000 barrels; receipt of fuel oil for plant consumption; owned and operated by NRG Energy Inc.

(132) **Lafarge Corp., Oswego Terminal Wharf** (43°27'42"N., 76°30'45"W.): 350 feet of berthing space with 24 feet alongside and a deck height of 9 feet; two pipelines extend to 12 cement storage silos with a capacity of 23,800 tons; receipt of bulk cement; owned and operated by Lafarge Corp.

(133) **Sprague Energy Corp., Oswego Terminal Wharf** (43°27'53"N., 76°30'56"W.): 580 feet of berthing space with 21 feet alongside and a deck height of 9 feet; one pipeline extends from wharf to three fuel-oil storage tanks with a capacity of 260,000 barrels; one pipeline extends from wharf to two asphalt storage tanks with a capacity of 75,000 barrels; one pipeline extends from wharf to one calcium-chloride storage tank with a capacity of 7,350,000 gallons; receipt of fuel oil, asphalt and calcium chloride; owned by Port of Oswego Authority and operated by Sprague Energy Corp.

(134) **Essroc Cement Corp., Oswego Terminal Wharf** (43°27'48"N., 76°30'55"W.): 580 feet of berthing space with 20 feet alongside and a deck height of 9 feet; two pipelines extend to four steel storage silos with a capacity of 10,000 tons; receipt of bulk cement; owned by Port of Oswego Authority and operated by Essroc Cement Corp.

(135) **Port of Oswego Authority East Pier** (43°27'50"N., 76°30'42"W.): 1,750 feet of berthing space with 25 feet alongside and a deck height of 10 feet; 200,000-square feet of open storage for dry-bulk materials and 60,000-sguare feet of storage for salt; three storage domes with a capacity of 21,000 tons of potash; one 50-ton mobile crane and three front-end loaders; receipt of aluminum ingots and miscellaneous dry bulk materials; owned and operated by Port of Oswego Authority.

(136)

Supplies

(137) Some marine supplies and provisions are available at Oswego. Tank trucks deliver diesel oil to most wharves.

(138)

Small-craft facilities

(139) **Wrights Landing Marina** (43°27'46"N., 76°31'12"W.) is in the outer harbor and can provide over 40 berths, sewage pump-out, and launching ramps. In 1985, depths of 8 feet were reported alongside the berths. A marina on the east side of the river 0.3 mile above the mouth provides transient berths, gasoline, diesel fuel, electricity, water, ice, sewage pump-out, marine supplies, a 12-ton hoist, and hull and engine repairs. In 1991, depths of 10 feet were reported alongside the berths. Launching ramps are also available in the west part of the outer harbor.

(140)

Communications

(141) Oswego is served by rail and bus.

(142)

ENCs - US4NY22M, US5NY22M
Chart - 14803

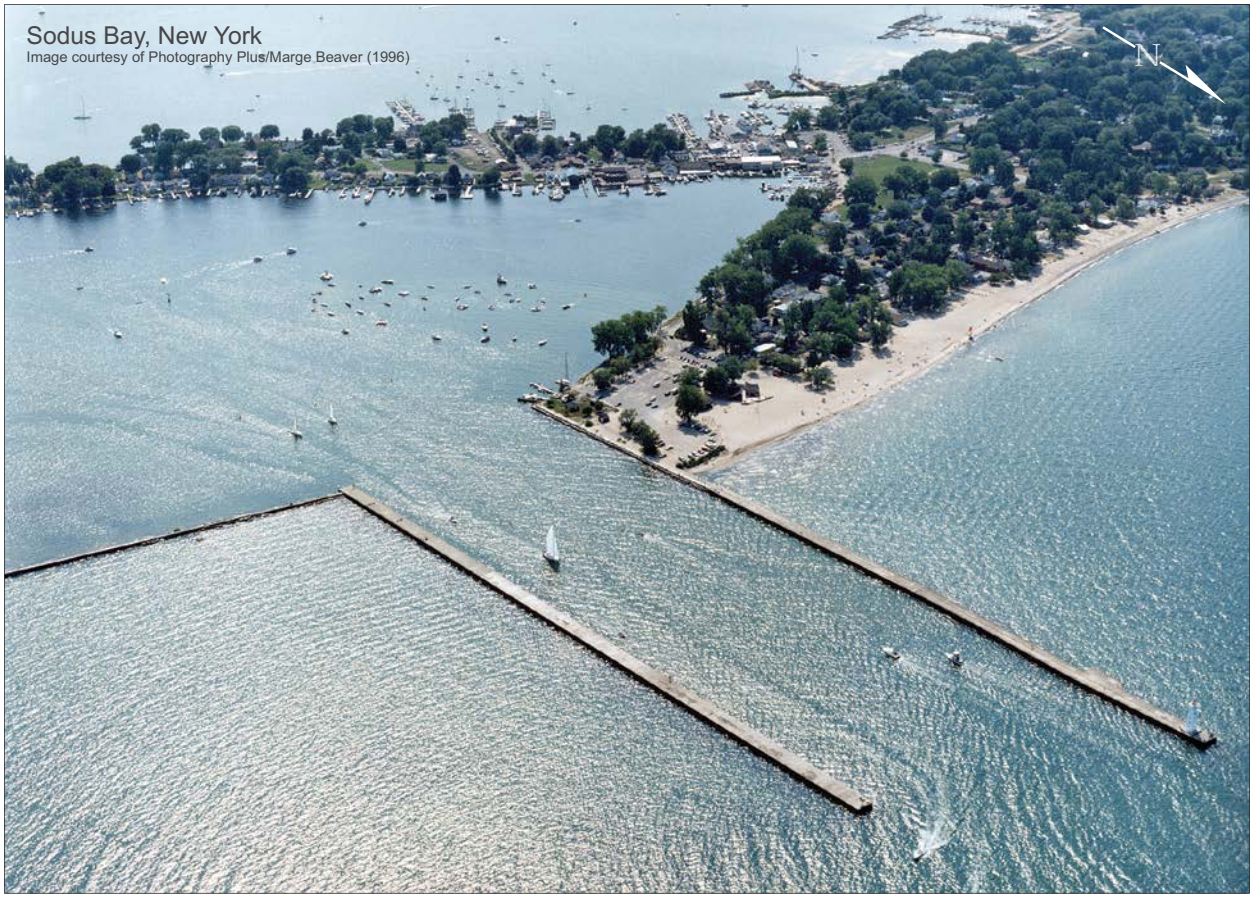
(143) From Oswego, the bold shoreline runs southwest for about 7 miles to **West Ninemile Point** (43°24'48"N., 76°37'48"W.). About 3 miles northeast of this point is **Ford Shoals,** a group of boulders and stony mounds just below the water surface. The shoals extend about 0.7 mile offshore and are marked on the northwest side by a lighted buoy.

(144) From West Ninemile Point southwest for 6 miles to Little Sodus Bay, the shore is hilly, and shallow water extends from 0.5 to 1 mile offshore. **Sabin Point,** on the east side of the entrance to Little Sodus Bay, separates the bay from **The Pond**. A channel from Lake Ontario into The Pond leads under a fixed bridge. The Pond, however, is virtually closed to navigation, because it is close to a bathing beach and the bridge.

(145) An unmarked dumping ground with a least reported depth of 35 feet is about 2.5 miles north-northeast of the entrance to Little Sodus Bay.

(146) **Little Sodus Bay**, 13 miles southwest of Oswego, extends 2 miles south from the shore of the lake. The bay is entered from Lake Ontario through a dredged channel between parallel piers marked on the outer ends by lights. The inner end of the east pier extends laterally east to enclose the bay. Inside the bay, the shores are bold, except in the bights. The bay has good anchorage in 24 to 36 feet, clay bottom. See tabulation on Chart 14803 for controlling depths in the entrance channel.

(160)



(147)

Dangers

(148) With west winds, a strong current runs across the outer end of the entrance piers. Avoid being set east of the pierheads where the bottom is hardpan with no holding ground.

(149) In 1981, shoaling to 5 feet was reported on the west side of the bay in the vicinity of **Grass Island** in about 43°20'18"N., 76°42'36"W. The shoal is reported to be shifting east.

(150)

Small-craft facilities

(151) A pier, with reported depths to 12 feet alongside, at the northeast end of the bay at Fair Haven Beach State Park provides sewage pump-out, marine supplies, and a launching ramp. Marinas in the south end of the bay provide transient berths, gasoline, water, ice, electricity, launching ramps, mobile lifts to 12 tons, a mast-stepping crane, and emergency shaft and propellor repairs. In 1977, depths of 4 to 10 feet were reported alongside the berths.

(152)

ENCs - US4NY22M, US5NY22M, US4NY23M, US5NY23M, US5NY2AM
Charts - 14803, 14804

(153) From Little Sodus Bay, the shore trends southwest for about 14 miles to Sodus Bay. The shore is hilly, and a rock bank extends a maximum of about 1 mile offshore.

(154) **Blind Sodus Bay**, just west of Little Sodus Bay, is separated from Lake Ontario by a narrow strip of land. The bay has a maximum depth of about 21 feet.

(155) **Port Bay** is about halfway between Little Sodus and Sodus Bays. A privately maintained and marked channel enters the bay from Lake Ontario and is protected on the west by a short pier and fill. In 1993, the controlling depth in the channel was 6 feet. The entrance is extremely difficult to make in rough weather. An overhead cable with an unknown clearance crosses the entrance channel. Good water is available inside the bay. Transient berths, gasoline, water, electricity, and a launching ramp are available in the bay.

(156)

ENCs - US4NY23M, US5NY23M, US5NY2AM
Chart - 14804

(157) **East Bay**, about 4 miles east of Sodus Bay at the mouth of **Mudge Creek,** is small and shallow and closed to lakeward.

(158)
ENCs - US4NY23M, US5NY23M, US5NY2AM, US-5NY29M
Charts - 14804, 14814

(159) **Sodus Bay**, also known as **Great Sodus Bay,** is 27 miles southwest of Oswego. The shores of the bay are bold, and the depths are from 18 to 48 feet, generally to within 0.2 to 0.4 mile of the shore. The southeast arm of the bay has depths of 9 to 15 feet to within 0.1 mile of the shore.

(161) **Sand Point**, a low sandspit, extends about 0.6 mile east-southeast from the northwest side of the bay just inside the entrance. The small bight on the north side of Sand Point has depths of 1 to 4 feet, but the water at the extremity of the point deepens rapidly to 30 feet and more.

(162) **Newark Island**, **Eagle Island**, and **LeRoy Island** are in the shallow northeast part of the bay. The first two are deep-to on the west or bay side.

(163) **Sodus Outer Light** (43°16'39"N., 76°58'26"W.), 51 feet above the water, is shown from a tower on the north end of the west entrance pier.

(164) An unmarked **dumping ground** with a least reported depth of 35 feet is about 2 miles northeast of the entrance to Sodus Bay.

(165)
Channels

(166) A dredged channel extends from deep water in Lake Ontario between parallel piers to the bay. The inner end of the east pier extends laterally eastward to **Charles Point** to enclose the bay. The outer ends of the piers are marked by lights, and the entrance channel is marked by lighted buoys and a light. (See Notice to Mariners and latest edition of the chart for controlling depths.)

(167)
Anchorage

(168) The bay is the most secure anchorage along the New York shore and reported to be congested at times; the holding ground is good with a mud bottom. Special anchorages are in Sodus Bay just south of Sand Point (See **33 CFR 110.86**, Chapter 2, for limits and regulations.)

(169)
Dangers

(170) Along the shoreline within Sodus Bay are numerous obstructions, including submerged cribs, dock ruins, submerged piles, and several wrecks, which hamper small-craft navigation.

(171) Sodus Point is a **customs port of entry.**

(172)
Coast Guard Station

(173) **Sodus Point Coast Guard Station**, seasonal, is at the south end of the west breakwall.

(174)
Small-craft facilities

(175) Marinas and boatyards at the village of **Sodus Point, NY,** on the west side of Sodus Bay, provide transient berths, gasoline, diesel fuel, water, ice, electricity, sewage pump-out, marine supplies, launching ramps, a mast-stepping crane, mobile lifts to 50 tons, and hull, engine, and electronic repairs. In 1977, depths of 4 to 20 feet were reported alongside the berths.

(176)
ENCs - US4NY23M, US5NY23M, US5NY2AM
Chart - 14804

(177) The shoreline from Sodus Bay trends generally west-northwest for 10.5 miles to Pultneyville. The east part of this stretch is marked by hills; for about 3 miles west from Sodus Bay, shoals extend offshore about 0.7 mile. Elsewhere, deep water is less than 0.4 mile offshore. A marina at **Fairbanks Point,** about 2 miles east of Pultneyville, provides gasoline, water, ice, electricity, a launching ramp, and hull and engine repairs.

(178) A recreational small-craft harbor on **Salmon Creek** is at **Pultneyville, NY**. The entrance to the creek is sheltered by a point of land on the west, but is exposed to the north and east. In an emergency, it is a good harbor of refuge to wait out sudden storms. The entrance channel leads between two submerged jetties and is marked by private lighted buoys and ranges. In 2017, the controlling depth was 4½ feet in the approach channel and 1 foot in the entrance channel.

(179) The shore from Pultneyville continues west for 6.5 miles to **Smoky Point,** thence west for about 6 miles to **Ninemile Point,** and thence southwest for 5.5 miles to Irondequoit Bay. Deep water along this stretch is about 0.5 mile offshore. A **security zone** has been established around the Ginna Nuclear Power Plant. (See **33 CFR 165.1** through **165.8**, **165.30** through **165.33**, and **165.911**, Chapter 2, for limits and regulations.)

(180) **Irondequoit Bay** is about midway between the mouth of the Niagara River and the head of the St. Lawrence River, and about 3.5 miles east of the Genesee River entrance. The bay is irregularly shaped with hilly shores, and extends inland about 4 miles.

(181) A dredged channel extends from deep water in the lake between breakwaters into the bay, thence about 0.6 mile southerly in the bay. The breakwaters are marked by lights. A boat launching ramp access channel is just inside the bay on the west side of the main channel.

(182) The Irondequoit Bay Outlet bridge crosses the entrance channel just inside the two breakwaters and has a swing span with a clearance of 8 feet. The bridge is placed in the closed-to-navigation position from November 1st to April 1st. State Route 104 highway bridge crosses the bay 6.5 miles south of the Irondequoit Bay Outlet bridge and has a fixed span with a clearance of 44 feet.

(183)
ENCs - US4NY23M, US5NY23M, US5NY2AM, US-

(186)

5NY30M
Charts - 14804, 14815

(184) From Irondequoit Bay west-northwest for 3.8 miles to the mouth of the Genesee River, deep water is about 0.5 mile offshore. A rock covered ½ foot is close inshore about 0.7 mile southeast of the Genesee River entrance.

(185) **Rochester Harbor**, at the mouth of the **Genesee River**, is 54 miles west of Oswego Harbor and about 7 miles north of the main business district of the city of **Rochester, NY.** The river is navigable for about 5.5 miles above the mouth. The first of a group of dams is about 7 miles upstream from Lake Ontario. There is no navigable connection between the lower portion of the Genesee River and the New York State Canal, which connects with the river about 11 miles upstream from the lake. The surface elevation of the river falls more than 260 feet between the Rochester Terminal of the New York State Canal System and the head of navigation of the lower portion of the river below the dams.

(187) An unmarked **dumping ground** with a least reported depth of 35 feet is about 1.8 miles northeast of the mouth of the Genesee River.

(188)

Prominent features

(189) The stacks at the waste water treatment plant 1.9 miles southeast of the river mouth and the tall apartment building 1.1 miles southwest of the river mouth are the most prominent objects from offshore.

(190) **Rochester Harbor Light** (43°15'50"N., 77°35'56"W.), 40 feet above the water, is shown from a white cylindrical tower with red band on the outer end of the west pier.

(191)

Channels

(192) From Lake Ontario, the river is entered through a dredged channel that leads between two piers, thence upstream for 2.6 miles above the mouth. There are two turning basins, one just inside the mouth and the other 2 miles above the mouth on the west side of the channel; the upper turning basin is no longer maintained. The outer ends of the entrance piers are marked by lights; mooring is only allowed on the lakeside of the piers. (See Notice to Mariners and latest editon of charts for controlling depths.)

(193)

Anchorages

(194) (See **33 CFR 207.600**, Chapter 2, for regulations concerning anchorage in this area.)

(195)

Dangers

(196) It is reported that northeast winds sometimes create waves as high as 6 feet which reflect through the entrance channel between the piers, making navigation into the

(202.0010)

CLIMATOLOGICAL DATA – ROCHESTER, NEW YORK (43°07'N, 77°40'W) 547 feet (166.7 m)

WEATHER ELEMENTS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YEAR	YEARS OF RECORD
SEA LEVEL PRESSURE (station pressure reduced to sea level**)**														
Mean (millibars)	1017.7	1018.1	1016.5	1015.2	1015.5	1014.7	1015.5	1016.6	1018.1	1018.4	1017.3	1018.1	1016.8	48
TEMPERATURE (°F)														
Mean	24.3	25.2	33.8	46.3	57.2	66.8	71.6	69.7	62.0	51.7	40.8	29.5	48.4	48
Mean daily maximum	31.3	32.9	41.8	55.9	67.8	77.6	82.2	80.0	72.1	61.2	47.9	35.9	57.4	48
Mean daily minimum	16.9	17.1	25.2	36.2	46.1	55.5	60.6	58.9	51.4	41.7	33.1	22.6	38.9	48
Extreme (highest)	74	67	83	93	94	100	98	99	99	91	81	72	100	48
Extreme (lowest)	-17	-19	-6	13	26	35	42	36	30	20	5	-12	-19	48
RELATIVE HUMIDITY														
Average percentage	52.5	55.7	40.2	27.0	30.3	21.8	30.0	41.2	55.8	59.1	47.5	56.2	43.1	48
CLOUD COVER														
Percent of time clear	7.1	10.4	15.7	18.8	20.2	20.5	20.7	21.9	21.8	21.2	9.4	6.6	16.2	48
Percent of time scattered	11.8	13.8	15.2	16.2	19.7	25.1	28.0	24.7	22.0	18.0	13.5	12.5	18.4	48
Percent of time broken	14.4	16.7	15.6	16.9	20.9	22.5	24.5	22.8	21.2	18.5	17.5	16.3	19.0	48
Percent of time overcast	66.6	59.1	53.5	48.0	39.1	31.9	26.9	30.6	34.9	42.3	59.6	64.6	46.4	48
PRECIPITATION (inches)														
Mean amount	2.2	2.2	2.5	2.6	2.6	2.7	2.6	3.2	2.8	2.5	2.8	2.5	31.7	48
Greatest amount	5.7	5.0	5.0	4.1	6.6	6.7	6.0	6.0	6.3	7.8	6.9	4.6	40.5	48
Least amount	0.7	0.6	0.4	1.1	0.3	0.2	0.6	0.7	0.2	0.2	0.4	0.6	22.4	48
Maximum amount (24 hours)	1.2	1.7	1.4	1.7	3.4	2.5	3.2	2.3	3.4	2.9	2.0	1.4	3.4	48
Mean number of days	27	23	22	18	16	14	14	14	15	16	21	25	225	48
SNOW														
Mean amount	24.4	22.8	14.5	3.9	0.3	0.0	0.0	0.0	T	0.2	7.3	19.9	93.2	48
Greatest amount	60.4	64.8	40.3	20.2	10.9	0.0	0.0	0.0	T	2.6	23.4	46.1	151.7	48
Least amount	8.9	8.0	2.0	T	0.0	0.0	0.0	0.0	0.0	0.0	T	6.0	43.4	48
Maximum amount (24 hours)	18.2	18.4	17.5	10.4	10.7	0.0	0.0	0.0	T	2.6	11.9	18.0	18.4	48
Mean number of days	24	20	16	6	1	0	0	0	Miss	2	10	21	100	48
WIND														
Percentage with gales	0.13	0.06	0.13	0.09	0.03	0.01	0.00	0.00	0.00	0.00	0.04	0.01	0.24	48
Mean wind speed (knots)	10.4	10.1	9.9	9.7	8.5	7.9	7.3	7.0	7.4	7.9	9.3	9.7	8.8	48
Direction (percentage of observations)														
North	1.8	2.7	2.8	3.5	4.1	3.6	3.6	3.2	3.1	2.6	1.9	1.8	2.9	48
North Northeast	1.4	2.0	2.8	3.7	4.0	3.0	2.5	3.3	2.6	2.2	1.5	1.0	2.5	48
Northeast	1.8	2.1	3.6	4.4	4.2	3.3	2.7	3.3	2.8	2.4	1.8	1.4	2.8	48
East Northeast	2.6	3.5	4.5	3.8	3.7	2.7	2.3	2.8	2.8	2.6	2.3	2.5	3.0	48
East	4.2	4.3	5.0	4.6	3.7	2.8	2.4	2.8	3.7	3.8	4.0	4.5	3.8	48
East Southeast	4.7	4.7	5.1	4.3	3.8	2.9	2.0	2.5	3.2	3.6	4.4	4.5	3.8	48
Southeast	3.8	3.8	3.7	3.6	3.9	3.0	2.4	2.9	3.7	4.1	4.3	4.3	3.6	48
South Southeast	3.7	3.6	3.6	3.4	4.0	3.5	2.9	3.5	4.5	4.9	5.8	4.5	4.0	48
South	7.2	6.2	5.5	6.1	6.9	8.2	8.5	8.4	10.1	9.8	9.1	8.3	7.9	48
South Southwest	8.9	7.4	5.9	6.2	8.4	11.2	12.3	13.1	13.5	12.6	11.2	10.6	10.1	48
Southwest	10.7	9.4	5.9	7.9	10.1	13.7	16.3	15.8	13.7	12.4	11.6	11.3	11.7	48
West Southwest	20.5	19.4	16.2	15.9	14.9	14.5	14.4	13.2	11.9	12.9	15.5	17.7	15.6	48
West	12.4	12.4	12.4	11.4	9.2	9.1	9.5	8.3	7.9	8.8	10.7	11.5	10.3	48
West Northwest	7.8	8.6	10.3	9.8	7.1	7.6	7.0	6.0	5.9	6.6	7.4	7.5	7.6	48
Northwest	4.1	4.6	5.2	5.5	5.3	5.2	5.7	4.9	4.5	4.3	4.4	4.3	4.8	48
North Northwest	2.4	2.7	2.8	3.3	3.4	3.2	2.7	2.9	2.7	2.3	1.8	2.3	2.7	48
Calm	2.0	2.6	3.0	2.7	3.4	3.0	3.0	3.5	3.4	4.5	2.5	2.3	3.0	48
Direction (mean speed, knots)														
North	8.5	8.9	8.1	7.8	7.7	7.4	7.2	7.2	7.1	7.8	7.6	9.0	7.8	48
North Northeast	10.7	11.6	10.0	9.7	9.0	8.2	8.5	8.4	8.7	9.6	9.1	10.7	9.3	48
Northeast	10.9	10.5	10.2	9.6	8.8	8.6	7.9	8.1	8.3	8.4	9.3	9.7	9.1	48
East Northeast	9.4	9.0	9.0	8.6	7.6	7.3	7.2	6.8	7.1	6.8	8.1	8.7	8.0	48
East	7.4	7.0	7.5	7.3	6.4	6.0	5.3	5.4	5.7	6.0	7.0	7.2	6.7	48
East Southeast	7.0	7.4	8.3	8.4	6.8	6.2	5.7	5.8	5.9	6.2	6.8	7.6	7.0	48
Southeast	6.9	7.1	8.1	7.8	6.9	6.0	5.7	5.4	5.7	6.4	7.3	7.2	6.8	48
South Southeast	7.9	8.0	8.6	9.2	7.6	6.6	6.0	5.6	6.5	6.9	8.0	7.7	7.4	48
South	8.0	7.9	8.1	7.7	7.0	6.6	6.0	5.8	6.7	7.2	8.0	7.7	7.2	48
South Southwest	9.2	8.5	8.4	8.2	7.7	7.1	6.6	6.5	7.5	7.5	8.4	8.9	7.7	48
Southwest	9.8	8.8	9.0	9.1	7.8	7.4	6.9	6.6	6.9	7.6	9.1	9.2	8.0	48
West Southwest	13.5	12.8	12.6	12.4	10.8	9.9	8.7	8.4	9.0	10.0	12.0	12.2	11.3	48
West	12.9	12.7	12.2	11.7	10.3	9.6	8.7	8.4	8.9	9.8	11.1	11.9	10.9	48
West Northwest	12.4	12.6	12.2	12.4	10.7	9.8	9.6	9.4	9.9	10.4	11.8	11.9	11.2	48
Northwest	11.6	11.3	11.0	10.5	9.8	9.4	9.2	8.9	9.0	10.0	11.0	12.1	10.3	48
North Northwest	9.7	9.9	9.0	9.1	9.0	8.4	8.1	8.3	8.5	8.6	9.5	10.2	9.0	48
VISIBILITY														
Mean number of days with fog	8	9	10	10	10	10	11	13	12	11	11	10	125	48

T = trace (not measurable) amount of precipitation
Miss or blank is a missing value

harbor difficult. River currents sometimes compound this problem. A dangerous sunken wreck is 0.8 mile east-northeast of Rochester Harbor Light.

(197)

Bridges

(198) The O'Rorke bridge, 1.25 miles above the pierheads, has a bascule span with a clearance of 41 feet (45 feet at center). (See **33 CFR 117.1** through **117.59** and **117.785**, Chapter 2, for drawbridge regulations.) Overhead power cables crossing the river 2.8 miles above the pierheads have a clearance of 141 feet. Above the limit of the Federal project, a pipeline bridge, about 5.1 miles above the pierheads, has a fixed span with a clearance of 86 feet. The Ridge Road (U.S. Route 104) bridge, about 5.5 miles above the pierheads, has a fixed span with a clearance of 160 feet. The Driving Park Avenue bridge, 6.4 miles above the pierheads, has fixed span with unknown clearance.

(199)

Weather, Rochester and vicinity

(200) Rochester, NY, located on the south shore of Lake Ontario and in the western part of the state, averages about ten days each year with maximum temperatures in excess of 90°F (32.2°C). July is the warmest month with an average high of 82°F (27.8°C) and an average minimum of 61°F (16.1°C). January is the coolest month with an average high of 31°F (-0.6°C) and an average minimum of 17°F (-8.3°C). The highest temperature on record for Rochester is 100°F (37.8°C) recorded in June 1953 and the lowest temperature on record is -19°F (-28.3°C) recorded in February 1979. About 135 days each year experience temperatures below 32°F (0°C) and an average 13 days each year records temperatures below 5°F (-15°C). Every month has seen temperatures below 50°F (10°C) and every month except June, July, and August has recorded temperatures below freezing (0°C).

(201) The average annual precipitation for Rochester is 31.7 inches (805 mm) which is fairly evenly distributed throughout the year. Precipitation falls on about 225 days each year. The wettest month is August with 3.2 inches (81 mm) and the driest, January and February, each average only 2.2 inches (56 mm). An average of 27 thunderstorm days occur each year with July and August being the most likely months. Snow falls on about 100 days each year and averages about 93 inches (2362 mm) each year. December, January, and February each average greater than 20 inches (508 mm) per year with a slight maximum in January. Eighteen inch (457 mm) snowfalls in a 24-hour period have occurred in each month December through March. About 20 days each year has a snowfall total greater than 1.5 inches (38 mm) and snow has fallen in every month except June, July, and August. Fog is present on average 125 days each year and is evenly distributed throughout the year with a slight maximum in August.

(202) The prevailing wind direction in Rochester is the west-southwest, off the lake. January is the windiest month but a maximum gust of 62 knots occurred in April 1975.

(203) <Deleted Paragraph>

(204)

Quarantine, customs, immigration, and agricultural quarantine

(205) (See Chapter 3, Vessel Arrival Inspections, and appendix for addresses.)

(206) **Quarantine** is enforced in accordance with the regulations of the U.S. Public Health Service. (See Public Health Service, Chapter 1.)

(207) Rochester is a **customs port of entry.**

(208) Rochester has several hospitals.

(209)

Coast Guard Station

(210) **Rochester Coast Guard Station** is on the east side of the river just inside the mouth.

(211) A **speed limit** of 6 mph is enforced in Rochester Harbor. (See **33 CFR 162.165**, Chapter 2, for regulations.)

(212)

Wharves

(213) **Essroc Cement Corp. Charlotte Dock** (43°13'50"N., 77°37'00"W.); 488 feet of berthing space with 21 feet alongside and a deck height of 8 feet; three pipelines extend from wharf to eight concrete storage silos with a capacity of 23,925 tons; receipt of cement; owned and operated by Essroc Cement Corp.

(214)

Supplies

(215) Some marine supplies, water, provisions, and diesel fuel can be obtained at Rochester.

(216)

Small-craft facilities

(217) Marinas at Rochester provide transient berths, gasoline, diesel fuel, water, ice, electricity, sewage pump-out, marine supplies, launching ramps, mobile lifts to 40 tons, and hull, engine, and electronic repairs. In 1977, depths of 2 to 12 feet were reported alongside the berths.

(218)

Communications

(219) Rochester is served by rail, air, and bus. Rochester-Monroe County Airport is about 10 miles south-southwest of the river entrance.

(220)

ENCs - US4NY23M, US5NY23M, US5NY2AM, US-4NY24M, US5NY24M

Charts - 14804, 14805

(221) Anchorage with good protection from west winds is available between the mouth of the Genesee River and **Braddock Point** (43°19'22"N., 77°42'48"W.), about 7 miles northwest. Adequate depths are found within 1 mile offshore. Numerous potable water intakes are

within 2.5 miles northwest of the Genesee River and a dangerous wreck covered 1.4 feet is in about 43°17'32"N., 77°40'16"W.; caution is advised. **Lewis Shoal,** with a least depth of 14 feet, is centered about 1.2 miles offshore in about 43°18'31"N., 77°40'06"W. The shore is low and consists mostly of bars enclosing a series of shallow ponds or enlarged outlets of creeks.

(222)

ENCs - US4NY24M, US5NY24M
Chart - 14805

(223) **Braddock Bay**, just southeast of Braddock Point, is separated from Lake Ontario by long necks of land extending from the southeast and from the northwest with an entrance between. In 1984, the reported controlling depth across the entrance bar was 2 feet. In 1987, shoaling to an unknown depth was reported to exist in the channel leading into the bay. Several marinas in the bay provide transient berths, gasoline, diesel fuel, water, ice, electricity, sewage pump-out, marine supplies, launching ramps, lifts to 14 tons, and hull, engine, and electronic repairs. In 1977, depths of 4 to 5 feet were reported alongside the berths.

(224) **Braddock Point Light** (43°20'28"N., 77°45'46"W), 55 feet above the water, is shown from a brown circular tower on **Bogus Point**, 2.7 miles northwest of Braddock Point.

(225) About 2 miles west of Braddock Point Light, a boulder bank extends about 0.8 mile from shore to **Wautoma Shoals,** which is marked by a lighted buoy. A dangerous wreck is close east of the lighted buoy.

(226) The shoreline west to **Devils Nose** (43°22'10"N., 77°58'35"W.), a small bold knob 11 miles west of Bogus Point, has deep water 0.5 mile off, except for 7-foot depths extending 0.5 mile off just east of Devils Nose. There are no outlying obstructions from Devils Nose to Point Breeze, 11 miles west, except for a rock ledge covered 5 feet about 0.6 mile offshore, 1.5 miles east of Point Breeze.

(227) **Point Breeze Harbor** is at the mouth of **Oak Orchard Creek.** The village of **Point Breeze, NY**, is on the east side of the harbor. The approach to the creek from Lake Ontario is through two dredged channels that lead around either end of a detached breakwater, join, and lead south between two jetties through the mouth of the creek to a harbor basin with its upper end about 0.2 mile above the mouth. Lights mark the detached breakwater and the jetties.

(228) **Caution**.—In 1977, it was reported that several vessels have grounded on the detached breakwater when entering at night. Local knowledge is advised.

(229) Twin fixed highway bridges with clearances of 54 feet, and a fixed highway bridge with a clearance of 8 feet, cross Oak Orchard Creek about 0.8 mile and 1.7 miles above the detached breakwater, respectively.

(230) Several marinas at Point Breeze provide transient berths, gasoline, diesel fuel, water, ice, electricity, sewage pump-out, marine supplies, launching ramps, mobile lifts to 25 tons, and hull, engine, and electronic repairs.

(231) From Point Breeze 15 miles west to Thirtymile Point, shallow water with a rocky bottom extends from 0.3 to 0.6 mile offshore. From about 2.5 to 3.5 miles east of Thirtymile Point, depths of 6 to 8 feet are about 0.5 mile offshore.

(232)

ENCs - US4NY25M, US5NY25M, US4NY24M, US-5NY24M
Charts - 14806, 14805

(233) **Thirtymile Point Light** (43°22'30"N., 78°29'11"W.), 60 feet above the water, is shown from a square tower on the northeast corner of a two story house on **Thirtymile Point**. A radio mast is 50 feet southwest of the light.

(234)

ENCs - US4NY25M, US5NY25M, US4NY26M
Charts - 14806, 14810

(235) From Thirtymile Point, the shoreline trends southwest for about 12 miles to Olcott, thence about 6 miles to Wilson, and continues southwest for about 12.3 miles to the mouth of the Niagara River. From Thirtymile Point to about 2.4 miles west of Olcott, deep water is within 0.3 mile of the shore, but from the latter point to near the mouth of Niagara River, the bank extends about 0.7 mile from shore.

(236) **Olcott, NY**, is a village at the mouth of **Eighteenmile Creek.**

(237) An unmarked **dumping ground** with a least reported depth of 35 feet is 1.5 miles north of the creek entrance.

(238) The creek is entered from Lake Ontario through a dredged channel between two piers. The west pier is marked by a light. The channel is unstable because of mud deposits from Eighteenmile Creek and drifting sand from the west. A rock ledge with a least depth of 11 feet is across the entrance channel 500 feet lakeward of the piers.

(239) An overhead telephone cable with an authorized clearance of 56 feet (55 feet reported) and a fixed highway bridge with a reported clearance of 50 feet cross the creek about 0.2 mile and about 0.4 mile above the mouth, respectively.

(240) Several marinas in the creek provide transient berths, gasoline, diesel fuel, water, ice, electricity, marine supplies, a launching ramp, a 30-ton mobile lift, and hull, engine, and electronic repairs. In 1977, depths of 6 to 11 feet were reported alongside the berths.

(241) In 1981, a submerged rock was reported about 3.3 miles west of Olcott in about 43°19'56"N., 78°47'00"W.

(242)

ENCs - US4NY26M, US4NY25M, US5NY25M, US-

(251)

4NY32M
Charts - 14810, 14806, 14822

(243) **Wilson Harbor** is in the mouth of **East Branch Twelvemile Creek,** about 12 miles east of the mouth of the Niagara River. The widened mouth of the creek forms **Tuscarora Bay,** which is about 2 feet deep in its natural depth and provides good anchorage for shallow-draft vessels.

(244) An unmarked **dumping ground** with a least reported depth of 35 feet is 1.3 miles north of the harbor entrance.

(245) The entrance to the harbor from Lake Ontario is through a dredged channel that leads between parallel piers and thence upstream for 0.8 mile through Tuscarora Bay. The west pier is marked by a light, and daybeacons and buoys mark the channel through Tuscarora Bay.

(246) Overhead cables with clearances of 65 and 75 feet cross the bay about 0.3 and 0.7 mile above the mouth, respectively.

(247) Several marinas in Tuscarora Bay provide transient berths, gasoline, diesel fuel, water, ice, electricity, sewage pump-out, marine supplies, launching ramps, a 25-ton mobile hoist, and hull, engine, and electronic repairs. Depths of 4½ to 10 feet were reported alongside the berths.

(248)

ENCs - US4NY25M, US5NY25M, US4NY26M, US-

4NY32M, US5NY31M
Charts - 14806, 14810, 14822, 14816

(249)

Niagara River Below Niagara Falls

(250) The Niagara River flows from the northeast end of Lake Erie and enters Lake Ontario about 36 miles from its west end. The Lake Ontario entrance to the river is between two land points occupied by **Fort Niagara, NY,** on the east, and **Fort Mississauga, ON**, on the west. The **International boundary** between the United States and Canada generally follows a middle of the river course through the lower Niagara River.

(252) **Chart Datum** in the lower Niagara River, from Lake Ontario to the head of navigation, at Lewiston, NY, is the same as Low Water Datum of Lake Ontario, which is an elevation 243.3 feet (74.2 meters) above mean water level at Rimouski, QC, on International Great Lakes Datum 1985 (IGLD 1985). (See Chart Datum, Great Lakes System, indexed as such, Chapter 1.)

(253) The Niagara River, with its great volume of water and a current of about 2.2 knots, deposits considerable sediment in Lake Ontario and forms extensive shoals for a radius of about 3 miles off the mouth of the river. A bank with least depths of 5 feet extends about 0.8 mile off the east side of the entrance and is marked on its northwest side by a lighted bell buoy. **Rumsey Shoal,** with depths

of 17 feet, is an unmarked detached shoal about 1.5 miles north of Fort Niagara. **Niagara Bar** extends from shore about 2 miles west of the river mouth northeast to a point about 3 miles north of the river mouth. The north part of the shoal has depths of 12 and 13 feet, but depths of 8 feet are found to about 1.5 miles offshore northwest of the river mouth. Commercial sand and gravel dredging is conducted intermittently in the area and depths are subject to change. Vessels bound between the Welland Canal and points east of the Niagara River must avoid Niagara Bar by passing north of the lighted buoy about 3.7 miles north of Fort Niagara.

(254) The entrance to the Niagara River is marked by lighted buoys, a **149.3°** lighted range, and a light at Fort Niagara. **Fort Niagara Light 5** (43°15'43"N., 79°03'50"W.), 80 feet above the water, is shown from a tower with a white and green diamond-shaped daymark on the east side of the river at the mouth.

(255) At the prevailing stages during the navigation season, a depth of about 13 feet may be carried into the river by closely following the lighted range. An alternate approach is on course **187°,** avoiding the east edge of Niagara Bar and leaving the lighted bell buoy marking the bank off Fort Niagara close aboard to port, and then swinging for the river when on the lighted range.

(256) Once inside the river, an unobstructed channel with depths of 30 to 70 feet leads to Lewiston at the foot of the rapids below Niagara Falls, about 7 miles above the mouth.

(257)

Coast Guard Station

(258) **Niagara Coast Guard Station** is on the east side of the Niagara River entrance. In 1977, depths of 14 feet were reported alongside the Coast Guard wharf.

(259) **Niagara-on-the-Lake, ON**, is on the west side of the mouth of the river. A **Canadian customs reporting station** is at Niagara-on-the-Lake. The former customs wharf has depths of 4 to 10 feet alongside.

(260) A sailing club in the a basin immediately south of the former customs wharf can provide transient berths, water, electricity, pump-out, a 15-ton hoist and hull repairs. Depths of 1 to 4 feet are reported in the basin. Mariners are cautioned that strong winds tend to raise or lower the water level in the basin by as much as 2 feet.

(261) **Youngstown, NY**, is on the east side of the river about 1 mile above the mouth.

(262)

Anchorage

(263) A **special anchorage** is on the east side of the river at Youngstown. (See **33 CFR 110.1** and **110.85**, Chapter 2, for limits and regulations.)

(264)

Quarantine, customs, immigration, and agricultural quarantine

(265) (See Chapter 3, Vessel Arrival Inspections, and appendix for addresses.)

(266) **Quarantine** is enforced in accordance with the regulations of the U.S. Public Health Service. (See Public Health Service, Chapter 1.)

(267) Youngstown is a **customs port of entry.**

(268) Several marinas at Youngstown provide transient berthage, gasoline, diesel fuel, water, ice, electricity, sewage pump-out, marine supplies, a launching ramp, mobile lifts to 20 tons, and hull and engine repairs. In 1977, depths of 6 to 14 feet were reported alongside the berths.

(269)

Anchorage

(270) A Canadian **anchorage area** is on the west side of the river about 2 miles above the mouth.

(271) **Lewiston, NY**, on the east side of the river about 7 miles above the mouth, is the head of navigation on the lower Niagara River. In 2000, the town landing had a large 300-foot dock with a reported depth of 8 feet alongside. A launch area and transient slip area was also available at the landing.

(272) **Queenston, ON** is on the west side of the river opposite Lewiston. A 300-foot wharf here has a reported depth of 12 feet alongside. The wharf was in disrepair in 1994.

(273) The portion of the lower Niagara River upstream from Lewiston and Queenston to **American Falls** and **Horseshoe Falls** is considered not navigable because of a 4-mile section of heavy rapids. A **safety zone** is in this section of the river. (See **33 CFR 165.1** through **165.40** and **165.902**, Chapter 2, for limits and regulations.) Several bridges and overhead cables cross this section of the river.

(274)

Canadian Waters

(275) The shore of Lake Ontario, from the **International boundary** at the mouth of the Niagara River west to Hamilton Harbour, thence northerly and easterly along the north shore of the lake back to the head of the St. Lawrence River, is in Canada. In this chapter, for a detailed description of Canadian waters, consult **Canadian Sailing Directions, CEN302, Lake Ontario**.

(276)

ENCs - US4NY25M, US5NY25M, US4NY26M, US-4NY32M

Charts - 14806, 14810, 14822, *2077

(277) From the International boundary at the Niagara River, the Canadian shoreline extends west for 2.9 miles to **Four Mile Point,** thence southwest for 11.5 miles past Port Weller and Port Dalhousie, and thence west-northwest for 25 miles to Hamilton Harbour at the west end of the lake. southwest from Four Mile Point, deep water is about 0.7 mile offshore to the Port Weller entrance where the shoals

extend 1.2 miles off. From Port Weller west to Hamilton Harbour, deep water is 0.5 to 1.5 miles offshore.

(278) A **danger area** of the Niagara-on-the-Lake Small Arms Range extends about 1.1 miles offshore, about 2 miles west of the mouth of the Niagara River. The intermittent use of the area is announced by local Canadian Coast Guard Marine Radio Broadcast and may also be advertised in local newspapers. The danger area is marked by buoys. (For details, consult the Annual Edition of Canadian Notices to Mariners.)

(279)

ENCs - US4NY26M, US4NY32M
Charts - *2042, 14810, 14822

(280) **Port Weller Harbour, ON**, 8 miles southwest of the Niagara River mouth, is the Lake Ontario terminus of the Welland Canal. The St. Lawrence Seaway Management Corporation of Canada administers the harbor.

(281) The following is extracted (partial) from **Canadian Sailing Directions CEN303, Chapter 1, Welland Canal**. It is to be noted that the units of miles are nautical miles.

(282) **Port Weller Harbour***(43°14'N., 79°13'W.), an artificial harbour 23 miles SSE of Toronto, is the Lake Ontario entrance to the Welland Canal. Port Weller Harbour and the adjoining urban communities of* **Weller Park** *and* **Port Weller East** *are part of the city of St. Catharines.*

(283) *Port Weller Harbour is administered by the St. Lawrence Seaway Management Corporation.*

(284) *(Port Weller Harbour and the navigational aids in the harbour are described in Sailing Directions booklet CEN 302–Lake Ontario. A marina on the east side of the Port Weller Harbour east breakwater is also described in Sailing Directions booklet CEN 302.)*

(285) *There is a* **pilot exchange** *point 1 to 2 miles north of Port Weller Harbour. For more information on pilotage, consult Sailing Directions booklet CEN 300 – General Information, Great Lakes, the Annual Edition of Notices to Mariners and Radio Aids to Marine Navigation (Atlantic and Great Lakes).*

(286) *Tugs, if required, are available from Port Weller Dry Docks Ltd.*

(287) *A tie-up* **wharf** *on the east side of Port Weller Harbour at Mile 1.3 is for the use of small craft waiting to enter the Welland Canal. There is a direct-line telephone to communicate with Lock Control. Other use of this wharf is not permitted.*

(288) *Caution.—A* **current** *of up to 1 knot has been observed between limit of approach signs L/A1 and L/A2 below Lock 1 when the lock is being emptied. Small craft near the tie-up wharf may be affected.*

(289)

Welland Canal — Chart* 2042

(290) *The route of the Welland Canal is not the same as that of its predecessors, particularly on the lower terrain north of the Niagara Escarpment. In general, the canal follows a north and south course between Lake Ontario and Lake Erie.*

(291) *The first 6.3 mile stretch of the canal, heading south from Lake Ontario, is flanked by slightly rising lowlands known as the* **Garden of Canada** *because of their natural beauty and extensive fruit orchards. In this section, the first three locks raise vessels 42 m (138 ft) from the level of Lake Ontario and bring them to the foot of the Niagara Escarpment. The long, straight reaches of canal prism provide ample space for the movement and passage of upbound and downbound vessels.*

(292) *The next four locks raise vessels to the top of the escarpment. Three of these locks are built in steps, one after the other, so that vessels are raised another 43 m (141 ft) in a distance of 0.5 mile. This stepped system of three locks has a pair of locks for each lift, one for upbound vessels and one for downbound vessels, thereby avoiding delays. From here there is a short stretch of canal prism, 0.4 mile long, which allows vessels to pass each other. At the south end of this short stretch of canal is the last of the seven main locks, which raises vessels 14 m (46 ft), nearly to the level of Lake Erie.*

(293) *A new Welland Canal by-pass was opened in 1973. The by-pass section, lying east of this part of the Fourth Welland Canal, stretches from Port Robinson southward to Rameys Bend, a distance of 7 miles. This stretch replaced a narrow 7.5 mile section, spanned by six bridges, that wound through the city of Welland. In contrast to the old section, along which bulky structures often blocked the line of sight, the Welland Canal by-pass channel is unobstructed and almost straight.*

(294) *Along the section from Rameys Bend to the Port Colborne entrance at Mile 23.45, the canal and its structures, including Guard Lock 8, are part of the original Fourth Welland Canal.*

(295) *Five vertical-lift bridges, six bascule bridges and one fixed-span high-level bridge cross the canal; these* **bridges** *carry railway lines and highways. The vertical-lift bridges operate on the principle of the counter-balanced elevator, with a movable span that lifts to provide a vertical* **clearance** *of 36.6 m (120 ft). They offer a less restricted channel than is available with the bascule bridges that are more common on navigable waterways. All bascule and vertical-lift bridges have auxiliary power in case of power failure.*

(296) *Lights are shown from all bridges in the Welland Canal. Details of aids to navigation for passage through the locks are given in the* **Seaway Handbook**.

(297) *Guard lock and water level fluctuation.—On Lake Erie, with its vast expanse of shallow water, the water level is subject to rapid fluctuations caused by changes in the force and direction of the wind. A change in wind direction from east to west has been observed to change the water level by as much as 3.4 m (11 ft) at Port Colborne. Such a change in water level, if transferred to the summit level of the canal, would introduce tremendous hydraulic control problems and extensive traffic delays. For this*

(305)

Welland Canal – Lock Information

Lock No.	Type	Usable Length m and (ft)	Width m and (ft)	Lift m and (ft)	Miles from Port Weller Harbour
1	Single	222.5 (730)	24.38 (80)	14 (46)	1.58
2	Single	222.5 (730)	24.38 (80)	14 (46)	3.12
3	Single	222.5 (730)	24.38 (80)	14 (46)	5.47
4	Double	222.5 (730)	24.38 (80)	15 (49)	6.60
5	Double	222.5 (730)	24.38 (80)	15 (49)	6.74
6	Double	222.5 (730)	24.38 (80)	13 (43)	6.90
7	Single	222.5 (730)	24.38 (80)	14 (46)	7.40
8	Guard	350 (1,148)	24.38 (80)	0.5-3.5 (2-11)	21.09

Welland Canal – Mileage and General Data

Mile	Structure, Locality, etc.	Mile	Structure, Locality, etc.
0.00	Lake Ontario entrance – Port Weller Harbour	12.92	Turning Basin No. 2
1.10	Wharf 1 – Port Weller Harbour (East)	13.27	Syphon Culvert
1.15	Wharf 2 – Port Weller Harbour (West)	15.41	Eastern Main Street Tunnel
1.30	Small-craft wharf	16.85	Wharf 10 – Welland
1.58	Lock 1 – Single	17.46	Townline Tunnel
1.85	Port Weller Dry Docks	19.80	Wharf 11 – Canada Starch Company
3.12	Lock 2 – Single	20.10	Entrance to Rameys Bend
4.50	Wharf 3 – St. Catharines wharf	20.60	Turning Basin No. 3
5.47	Lock 3 – Single	20.60	Wharf 12 – Rameys Bend
6.60	Lock 4 – Double	20.75	Wharf 13 – Robin Hood Multifoods
6.74	Lock 5 – Double	20.75	Wharf 14 – R.E. Law
6.90	Lock 6 – Double	20.75	Tailrace from Supply Weir
7.40	Lock 7 – Single	21.09	Lock 8 – Guard Lock
7.92	Thorold Tunnel	21.87	Wharf 15 – Port Colborne
8.10	Wharves 5 and 6 – Thorold	22.05	Small-raft wharf
8.10	Turning Basin No. 1	22.27	Wharf 16 – Port Colborne
8.20	Wharf 7 – Ontario Paper Company	22.45	Wharf 17 – Port Colborne
8.30	Guard Gate Cut	22.50	Wharf 18 – Port Colborne
8.48	Wharf 8 – Ontario Paper Company	22.80	Wharf 19 – Port Colborne
8.85	Wharf 9 – Beaverboard Wharf	22.80	Wharf 20 – Port Colborne
10.05	Intake Weir – Third Canal Channel	23.45	Lake Erie entrance – Port Colborne Harbor
12.66	Port Robinson Ferry		

reason, Lock 8 was constructed at Port Colborne, just north of where the canal joins Lake Erie, to raise or lower ships from the regulated level of the canal to that of the lake.

(298) *(Information on seiches and wind effect in Lake Erie is given in Sailing Directions booklet CEN300-General Information, Great Lakes.)*

(299) *About midway between Lake Ontario and Lake Erie, the Welland Canal crosses* **Welland River;** *this is a sluggish stream which joins Niagara River at the head of the rapids above Niagara Falls. The level of Welland River is 1.8 m (6 ft) below the level of the Welland Canal, which meant that an underpass had to be built to carry its waters under the canal. The foundation of this structure, which is an inverted syphon culvert, lies 25 m (82 ft) below the level of the water in the canal. Welland River no longer flows directly into the Niagara River; its waters are diverted through the Chippawa-Queenston power canal.*

(300) *Cross winds can cause serious delays to navigation in restricted waterways. To reduce this effect, many fast-maturing native trees have been planted as a windbreak along the banks of the Welland Canal. The roots of these trees also bind together the earth embankment*

of the prism reaches and provide a greater measure of protection against the erosive action of water.

(301) *(Information on vessel traffic under adverse wind conditions is given in the Seaway Handbook.)*

(302) *Safety features.—Upper lock gates are protected from upbound vessels by a heavy concrete breast wall at the upper end of each lock; this wall prevents an upbound vessel from damaging the upper gates when entering a lock at the lower level. The lower gates are protected from downbound vessels by a wire rope fender across the lock.*

(303) *All controlling equipment operating the valves, gates, fenders and signals at each lock is interlocked to protect the equipment and to prevent disaster.*

(304) *(The facilities of the Welland Canal are listed in the table Wharves-Welland Canal.)*

(306) **Lock 1** *is 1.6 miles south of the entrance to Port Weller Harbour;* **Bridge 1**, *a bascule bridge, crosses the south entrance of the lock. A submerged air bubbler pipeline has been installed from the end of the south training wall at Lock 1 to the west shore of the canal.*

(307) *The canal widens out 0.1 mile south of Bridge 1 to form a basin and fitting out berth on its east side.* Port Weller Dry Docks Ltd., *a division of* Canadian Shipbuilding and Engineering Ltd., *operates a shipbuilding and repair facility on the east side of the basin. Two* **dry docks** *here can handle vessels up to 222.5 m (730 ft) long and 23.2 m (76 ft) wide. The channel leading to the dry docks, flanked on the north side by dolphins, is reported to be dredged to a depth of 7 m (23 ft). These are the only dry docks in the Lake Ontario area that can handle vessels of this size.*

(308) *(Other shipyards in the Great Lakes area are listed in Sailing Directions booklet CEN 300-General Information, Great Lakes.)*

(309) *A* **submerged water pipeline** *crosses the basin in the approach to the dry dock. A* **submerged natural gas pipeline** *crosses the canal at Mile 2.4.*

(310) **Lock 2** *is entered at Mile 3.12;* **Bridge 3A**, *a bascule bridge, crosses the south entrance of the lock.*

(311) *The city of* **St. Catharines,** *with a population of 129,300 (1991), extends 8 miles south of Port Weller Harbour on both sides of the Welland Canal.*

(312) *A* **submerged natural gas pipeline** *crosses the canal near Mile 4; a* **submerged sewer pipeline** *crosses at Mile 4.65. A* **submerged telephone cable** *crosses the canal 0.1 mile farther south.*

(313) **Bridge 4A**, *a high-level bridge known as Garden City Skyway, crosses the canal at Mile 4.8;* **Bridge 4**, *a double bascule bridge, crosses at Mile 4.9.*

(314) *A* **submerged power cable** *and a* **submerged telephone cable** *cross the canal near Bridge 4. A submerged conduit carrying power and communication cables is laid across the channel between Bridge 4 and Bridge 4A.*

(315) *A submerged water pipeline crosses the canal 100 m (328 ft) south of Bridge 4.*

(316) **Lock 3** *is entered at Mile 5.47. A submerged air bubbler pipeline has been installed from the end of the south training wall at Lock 3 to the west shore of the canal.*

(317) *Caution.—The outflows north of Locks 2 and 3 from pondage pools cause* **eddies** *and* **cross currents** *in the lower approaches to these locks.*

(318) **Bridge 5**, *a lift bridge known locally as the Glendale Avenue Bridge, is 0.53 mile south of Lock 3.*

(319) *A* **submerged sewer pipeline** *crosses the canal 60 m (197 ft) north of Bridge 5.*

(320) *Two* **submerged natural gas pipelines** *cross the canal 30 m (98 ft) south of Bridge 5. A* **submerged power cable** *and* **overhead power cables**, *with a clearance of 46 m (151 ft), cross the canal 0.1 mile farther south.*

(321) **Bridge 6** *(east and west), a railway bascule bridge, crosses the north entrance to Lock 4.*

(322) **Twin Flight Locks 4, 5 and 6** *are entered 1 mile south of Lock 3. These three pairs of locks are stepped and raise vessels a total of 43 m (141 ft).*

(323) *The Vessel Traffic Control Centre, Administration Building and Seaway Welland radio station are on the west side of the canal near the entrance to Lock 4.*

(324) **Lock 7**, *0.35 mile south of Lock 6 (the highest of the flight locks), has a lift of 14 m (46 ft) and raises upbound vessels to the summit of the canal.*

(325) *The city of* **Thorold,** *with a population of 17,542 (1991), lies on the west side of the Welland Canal at Mile 7.5.* **Thorold South**, *part of the city of Thorold, is on the east side of the canal at Mile 8.*

(326) *(Details of the wharves at Thorold and Thorold South are listed in the table Wharves-Welland Canal.)*

(327) **Turning Basin No. 1** *is at Mile 8.1, 0.5 mile south of Lock 7.*

(328) *Three* **submerged pipelines** *cross the canal at the south end of Turning Basin No. 1; one is a natural gas line, one is a water line and the third is a culvert. A* **submerged water pipeline** *crosses the canal at Mile 8.6.*

(329) *The channel through the* **Guard Gatecut** *at Mile 8.3, 0.75 mile south of Lock 7, has a width of 59.4 m (195 ft).*

(330) **Bridge 10** *piers, remnants of a dismantled railway bridge, are located at Mile 9.1, 0.8 mile south of the Guard Gate cut.*

(331) *The canal bottom for 2.2 miles south of Bridge 10 is solid rock.*

(332) **Overhead power cables**, *with a clearance of 46 m (151 ft), span the canal 0.1 mile south of Bridge 10.*

(333) *A* **submerged pipeline** *crosses the canal at mile 9.9; a* **submerged natural gas pipeline** *crosses at mile 10.2.*

(334) *Caution.—There may be strong cross currents at the entrance to the Third Welland Canal channel, on the west side of the canal near Mile 10.*

(335) **Allanburg,** *a rural community on the east side of the canal at Mile 10.35, is part of the city of Thorold.*

(336) **Bridge 11**, *at Allanburg, is a lift bridge.*

(337) **Overhead power cables** *with clearances of 40 to 46 m (131 to 151 ft) span the canal 0.2 to 0.9 mile south of Bridge 11. Two* **submerged oil pipelines** *cross the canal at Mile 12.*

(350)

Welland Canal – Wharves

Wharf No.	Name/Locality	Wharf Length	Depth †	Elevation ††	Remarks
		m (ft)	m (ft)	m (ft)	
1	Port Weller Harbour (East)	194 (638)	8.2 (27)	2.6 (9)	Self-Unloaders and rental cranes. Various partial cargoes.
2	Port Weller Harbour (West)	393 (1,288)	8.2 (27)	26 (9)	Self-Unloaders. Coal, sand, zircon ore, bulk sugar. Capacity 76500 tonnes. Diesel and Bunker C fuels available.
3	St. Catharines Wharf	101 (330)	7.6 (25)	1.5 (5)	Closed.
5	Industrial Dock Thorold	152 (500)	6.4 (21)	1.5 (5)	Self-unloaders. Coal.
6	Industrial Dock Thorold	West 343 (1,125) East 91 (299)	8.2 (27) 7 (23)		One 2.7-tonne crawler crane. One 3.2-tonne crawler crane.
7	Ontario Paper Wharf Thorold South	185 (607)	8.2 (27)	1 (3)	Pulpwood and chemicals. Capacity 90,000 cords pulpwood.
8	Ontario Paper Wharf Thorold	132 (434)	7 (23)	1 (3)	Closed.
9	Beaverboard Wharf Thorold	306 (1,004)	7.1 (23)	1 (3)	Closed.
10	Welland Dock, Welland	223 (732)	9.1 (30)	2.4 (8)	Self-unloaders or rental cranes.
11	Canada Starch Dock Old channel, mile 19.8	120 (394)	8.2 (27)		Three berthing dolphins. Self-unloaders.
12	Ramey's Bend	548 (1,798)	8.2 (27)		Tunnel and belt conveyor (loading). Stone and sand.
13	Robin Hood Multifoods Wharf	305 (1,000)	7.6 (25)	1.5 (5)	Elevator. Grain and grain products.
14	R.E. Law Wharf	213 (700)	7.9 (26)	1.5 (5)	Closed.
		Port Colborne Harbour			
15	Underwater Gas Developers Beam Building and Supply	259 (850)	4.3 (14)	3.7 (12)	Self-Unloaders. Sand.
16	Snider's Wharf	451 (1,480)	9.1 (3)	3.7 (12)	One belt conveyor. Pipeline 17.8 to 20.3 cm (7 to 8 in). Stone and marine diesel oil. Capacity 27,000 tonnes.
17	Canadian Furnace Wharf	341 (1,120)	9.1 (3)	3.7 (12)	Ore and limestone (unloading). Pig iron and scrap (loading). Capacity 225,000 tonnes.
18	1. Fueling Wharves 2. West Street Wharf 3. —	503 (1,650)	9.1 (3) 183 (600) 178 (584)	2.4 (8) 3 (10) 4.3 (14)	Marine diesel fuel, coal. Capacity 772,820 liters (170,00 gallons). Closed.
19	Maple Leaf Milling	183 (600) (north)	5.1 (17)	2.4 (8)	Grain elevator. Capacity 63,000 tonnes.
20	Ports Canada Wharf	183 (600) (slip) 274 (900)	4.7 (15) 5.8 (19)		Grain elevator. Closed. Capacity 84,000 tonnes. Holding (quarantine) wharf, out of service.

Note: All information in this table was provided by local authorities. Users should consult local authorities for latest conditions.

† Depth below water datum. †† Elevation above chart datum.

(338) **Port Robinson**, *a rural community at Mile 12.6, is part of the city of Thorold.*

(339) *A small passenger* **ferry**, *operated by the St. Lawrence Seaway Management Corporation, crosses the canal at Port Robinson.*

(340) *A* **submerged cable** *and two* **submerged gas pipelines**, *one active and one abandoned, cross the canal near Port Robinson.*

(341) **Turning Basin No. 2** *is at Mile 12.9.*

(342) *The city of* **Welland,** *with a population of 47,914 (1991), is on both sides of the closed section of the Fourth Welland Canal, 7 miles north of Port Colborne. It is an important manufacturing centre with steel, iron, textile, twine, electrical equipment and rubber industries. It is served by the Canadian National Railway.*

(343) *(Details of the wharf at Welland are given in the table Wharves-Welland Canal.)*

(344) *Two* **submerged cables** *and many* **submerged pipelines** *cross the Welland by-pass section between Port Robinson and* **Rameys Bend,** *which is at Mile 20.1. A syphon culvert and two street tunnels also pass under*

this section of the canal. There are four **overhead power cables** *with clearances of 43 m (141 ft).*

(345) *Rameys Bend is the north entrance point of a slip which was part of the Third Welland Canal. There is a salvage yard and dry dock at the south end of this slip.*

(346) *The* **dry dock** *on the west shore near the south end of the slip, operated by Marsh Engineering Ltd., is 82.3 m (270 ft) long and 18.3 m (60 ft) wide with a sill depth of 2.6 m (9 ft) in 1994.*

(347) *A* **submerged power cable** *crosses the slip near the entrance.*

(348) *The bottom of the Welland Canal from Rameys Bend to the Lake Erie entrance is solid rock.*

(349) *(Details of the wharves near Rameys Bend are listed in the table Wharves-Welland Canal.)*

(351) **Turning Basin No. 3** *is 0.5 mile south of Rameys Bend at Mile 20.6.*

(352) *The Robin Hood Multifoods Inc. elevator and mill are at Mile 20.7. These structures are* **conspicuous**.

(353) *Caution.—An unused section of the Third Welland Canal enters the channel from the southwest at Mile 20.7, near the Robin Hood Multifoods Inc. elevator. This section of the canal serves as the tailrace of the supply weir. The moderate* **current** *here may affect vessels in Turning Basin No. 3 or berthing at Wharves 12 and 13.*

(354) **Lock 8**, *entered at Mile 21.1, has a lift of 0.6 to 3.4 m (2 to 11 ft), depending on the Lake Erie water level at Port Colborne.*

(355) **Bridge 19** *and* **Bridge 19A**, *both bascule bridges, cross the north and south entrances to Lock 8.*

(356) *A* **submerged supply line** *for an air bubbler system crosses the canal at the south end of the approach wall south of Lock 8.* **Submerged water** *and* **sewage pipelines** *cross the canal at Mile 21.85.*

(357) **Bridge 21**, *a road lift bridge, is near Mile 22.*

(358)

ENC - Charts* 2042, *2120

(359) *The harbour at* **Port Colborne** *(42°52'N., 79°15'W.), 17 miles west of the United States city of Buffalo, is on the north shore of* **Gravelly Bay** *at the south of Lake Erie entrance to the Welland Canal. It consists of an outer harbour, which extends from the original shoreline to offshore breakwaters, and an inner harbour, which includes the facilities for 2.5 miles along the Welland Canal.*

(360) *The outer harbour is protected by breakwaters. The west breakwater, which is 0.7 mile long and constructed of stone-filled timber crib work covered with concrete, extends towards Sugar Loaf Point. A west breakwater extension extends 0.35 mile in a SSE direction; it is built of concrete cribs and a concrete superstructure, with armour stone on the WSW face and a concrete pierhead at its SSE end.*

(361) *The east breakwater is constructed of timber and concrete crib work, with stone rip-rap protection along the outer face. Its pierhead should be given a berth of 30 m (98 ft).*

(362) *A* **submerged power cable** *extends north-northeast from the west breakwater to a position on shore north-northeast of the Port Colborne Grain Terminal elevator.*

(363) *The main channel through the outer harbour has a least width of 107 m (351 ft) and is dredged to a depth of 8.2 m (27 ft). A dredged area on the west side of the channel leads to the wharves at the Port Colborne Grain Terminal and the Maple Leaf Mills Inc. plant. The dredged areas are marked by* **buoys** *and* **light buoys**.

(364) *Port Colborne is a* **Customs vessel reporting station** *for pleasure craft.*

(365) *The harbour at Port Colborne is administered by the St. Lawrence Seaway Management Corporation.*

(366) *Landmarks.—The harbour can be identified from offshore by the Port Colborne Grain Terminal elevator and the flour mill and elevator of Maple Leaf Mills Inc. A white water tower 0.2 mile north of the grain terminal is conspicuous. The Sugar Loaf, west of Port Colborne, is also conspicuous.*

(367)

ENC - Chart* 2120

(368) *There is an* **anchorage area** *centered 4.5 miles south of Port Colborne Outer light in depths of 19.2 to 24 m (63 to 79 ft); this is for vessels waiting to enter Port Colborne harbour. Anchorage is prohibited in the approaches to the harbour.*

(369) *There is a* **dumping ground** *north of the anchorage area.*

(370) *There is a* **pilot exchange point** *1 to 2 miles south of Port Colborne. For more information on pilotage, consult Sailing Directions booklet CEN 300 — General Information, Great Lakes, the Annual Edition of Notices to Mariners and Radio Aids to Marine Navigation (Atlantic and Great Lakes).*

(371)

ENC - Charts* 2042, *2120

(372) *Port Colborne Outer light (556), at the south-southeast end of the west breakwater extension, is shown at an elevation of 11 m (36 ft) from a white square structure, 7.6 m (25 ft) high, with a red upper part. The light is brighter over an arc of 30° in a south-southwest direction. The light-structure is floodlit.*

(373) *Port Colborne West Breakwater light (557), at the west end of the west breakwater, is shown at an elevation of 7.3 m (24 ft) from a white circular tower, 5.1 m (17 ft) high.*

(374) *Port Colborne Inner light (558), at the east end of the west breakwater, is shown at an elevation of 15.2 m (50 ft) from a white square structure, 13.1 m (43 ft) high, with a red upper part.*

(375) *Port Colborne Harbour light (559), a steering light on the east breakwater, is shown at an elevation of 9.8 m (32 ft). The light is visible from northward between bearings of 178°45′ and 180°45′; it helps upbound vessels navigating between Bridge 21 and a position abreast of the south end of Wharf 17. This light is maintained by the St. Lawrence Seaway Management Corporation.*

(376) *Port Colborne East Breakwater light (560), at the west end of the east breakwater, is shown at an elevation of 10.7 m (35 ft) from a white circular tower, 6.2 m (20 ft) high, with a green upper part.*

(377) *Port Colborne Entrance* **range lights** *are in line bearing 015½°. The front light (560.6), on Wharf 17, is shown at an elevation of 11.1 m (36 ft) from a white circular tower, 7.4 m (24 ft) high, with a fluorescent-orange triangular daymark with a black vertical stripe. The rear light (560.7) is shown at an elevation of 17 m (56 ft) from a white circular tower, 13.5 m (44 ft) high, with a fluorescent-orange triangular daymark with a black vertical stripe.*

(378)

ENC - Chart* 2042

(379) *Port Colborne light buoy E3 (555), moored east of the south end of the west breakwater extension, marks the east edge of the channel.*

(380) *Caution.—Three rock-filled timber* **cribs**, *with elevations of 3 m (10 ft), lie along the east side of the channel at the inner end of the outer harbour.*

(381) *Caution.—Vessels using Wharf 16 should avoid the International Nickel Company* **water intake**, *which is on the east side of the harbour 580 m (1,903 ft) south of Bridge 21.*

(382) *The city of* **Port Colborne,** *with a population of 18,766 (1991), is on both sides of the harbour. The principal exports are grain, flour, cement, carbon blocks, graphite block, crushed stone and pig iron. Imports include coal, fuel oil, diesel fuels, grain, corn, iron ore, sand and gravel. The city is served by the Canadian National Railway and has highway connections to Canadian and United States cities.*

(383) *Fresh water, bunker fuels, provisions and ships stores are available.*

(384) *Ship repair facilities are available. For more information, contact the St. Lawrence Seaway Management Corporation.*

(385) *Tug assistance is not compulsory for docking. Towing service, when required, is normally arranged through vessel agents or owners.*

(386) *(Details of the wharves at Port Colborne are listed in the table Wharves-Welland Canal.)*

(387) *A tie-up* **wharf** *on the west side of Port Colborne inner harbour, south of Bridge 21, is for the use of small craft waiting to enter the Welland Canal. There is a direct-line telephone to communicate with Lock Control. Other use of this wharf is not permitted.*

(388) *There are marinas and a yacht club in Gravelly Bay west of Port Colborne.*

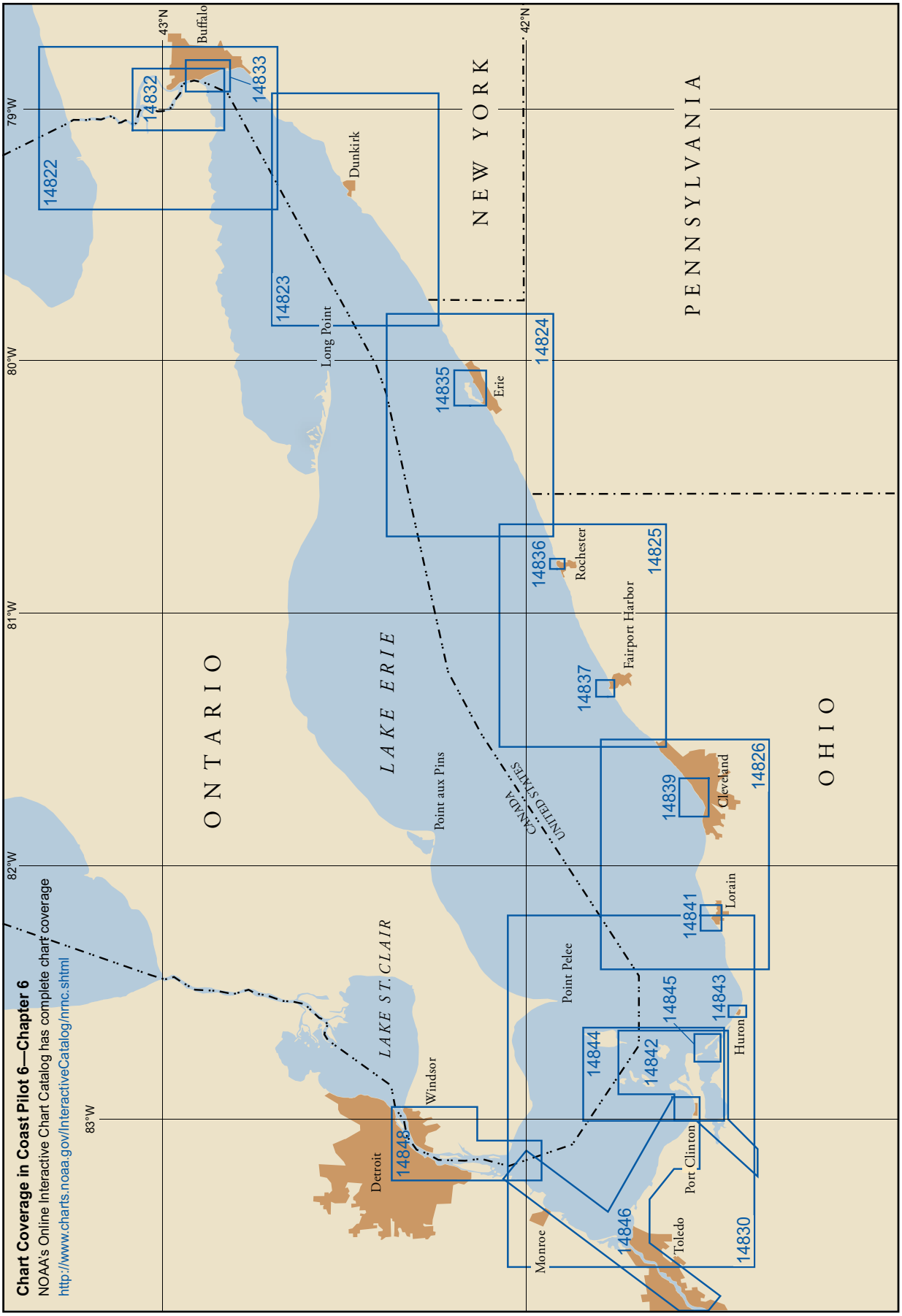


Chart Coverage in Coast Pilot 6—Chapter 6
NOAA's Online Interactive Chart Catalog has complete chart coverage
http://www.charts.noaa.gov/InteractiveCatalog/nrnc.shtml
ONTARIO
LAKE ERIE
LAKE ST. CLAIR
NEW YORK
PENNSYLVANIA
OHIO
CANADA
UNITED STATES
Buffalo
Dunkirk
Long Point
Erie
Point aux Pins
Rochester
Fairport Harbor
Cleveland
Lorain
Point Pelee
Huron
Port Clinton
Windsor
Detroit
Monroe
Toledo
14822
14832
14833
14823
14824
14835
14836
14825
14837
14839
14826
14841
14845
14843
14844
14842
14848
14846
14830
79°W
80°W
81°W
82°W
83°W
43°N
42°N

Lake Erie

(1)

Chart Datum, Lake Erie

(2) Depths and vertical clearances under overhead cables and bridges given in this chapter are referred to Low Water Datum, which for Lake Erie is an elevation 569.2 feet (173.5 meters) above mean water level at Rimouski, QC, on International Great Lakes Datum 1985 (IGLD 1985). (See Chart Datum, Great Lakes System, indexed as such, Chapter 1.)

(2.001)

Lake Erie Dimensions

Description	Length/Area
Detroit River Light to Buffalo (steamer track/clear of Point Pelee and Long Point)	236/241 miles
Breadth—Ashtabula to Port Stanley	55 miles
Maximum recorded depth	210 feet
Water surface	4,980 sq mi (U.S.) 4,930 sq mi (Canada)
Drainage basin	22,980 sq mi (U.S.) 9,650 sq mi (Canada)

(3) <3-9 Deleted>

(10)

General description

(11) **Lake Erie** is the southeasternmost and fourth largest of the five Great Lakes. With a greatest depth of 210 feet, it is the shallowest of the lakes and the only one with a floor above sea level. The deepest part of the lake is generally at the east end, while the island region in the west part of the lake is the most shallow. The lake has an average depth of 62 feet. The lake is fed at the northwest end by water from Lake Huron via St. Clair River, Lake St. Clair, and Detroit River. The only natural outlet of the lake is at the northeast end through Niagara River. Welland Canal bypasses the falls and rapids of Niagara River and provides a navigable connection to Lake Ontario.

(12) The waters of Lake Erie east of Long Point are part of the St. Lawrence Seaway and are under the navigational control of the Saint Lawrence Seaway Development Corporation, a corporate agency of the United States, and the St. Lawrence Seaway Management Corporation of Canada. These agencies issue joint regulations covering vessels and persons using the Seaway. The regulations are codified in **33 CFR 401**, and are also contained in the Seaway Handbook, published jointly by the agencies. A copy of the regulations is required to be kept on board every vessel transiting the Seaway. A schedule of the Seaway tolls is contained in the handbook. (See St. Lawrence Seaway, Chapter 3, and **33 CFR 401**, Chapter 2.)

(13) Extensive waterborne commerce is carried out between the ports on the lake as well as to and from the other lakes. The bulk of commerce on the lake radiates from the mouth of Detroit River to the various ports on the lake, to the Niagara River, and to Welland Canal. Most of the vessel traffic proceeds from the Detroit River through the north part of the island region and Pelee Passage. This is the most important channel of the lake. Vessels plying between Lake Erie and Lake Ontario are restricted in size by the locks in the Welland Canal; the maximum vessel dimensions are 730 feet overall length, 76 feet extreme breadth, and 26 feet draft.

(14)

Vessel Traffic Control

(15) Lake Erie east of Long Point is Sector 7 of the St. Lawrence Seaway vessel traffic control system. The objective of the system is to provide safe and efficient scheduling of vessel traffic, efficient search and rescue coverage, information regarding pilot requirements to the pilot dispatch centers, marine weather broadcasts, and information on vessel location to all interested parties. St. Catharines traffic control center controls traffic in Sector 7 through "Seaway Long Point," VHF-FM channel 11.

(16)

Calling-in point

(17) Upbound and downbound vessels shall contact "Seaway Long Point" on VHF-FM channel 11 when approximately abeam of the east end of Long Point, ON. After initial contact, downbound vessels shall guard VHF-FM channel 16.

(18) Complete information on the traffic control sectors and their respective calling-in points is contained in the Seaway Handbook.

(19)

Vessel Traffic Service

(20) The Canadian Coast Guard operates a Vessel Traffic Service in Canadian waters from Long Point in Lake Erie through the Detroit and St. Clair Rivers to De Tour Reef Light in Lake Huron. (See Chapter 3 and the Annual Edition of Canadian Notices to Mariners for complete information.)

(21)

Fluctuations of water level

(22) The normal elevation of the lake surface varies irregularly from year to year. During the course of each

(29.0010)

METEOROLOGICAL TABLE – COASTAL AREA LAKE ERIE
Between 41.3°N to 43.0°N and 79.0°W to 83.5°W

WEATHER ELEMENTS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	ANNUAL
Wind > 33 knots [1]	5.1	1.6	1.3	1.5	0.6	0.4	0.2	0.3	1.0	3.6	5.9	8.2	2.0
Wave Height > 9 feet [1]	1.2	0.3	0.3	0.3	0.2	0.2	0.1	0.2	0.4	1.6	2.1	2.6	0.7
Visibility < 2 nautical miles [1]	10.4	8.0	11.0	7.6	7.3	7.6	5.9	7.2	3.4	2.9	3.7	6.8	5.9
Precipitation [1]	35.4	34.5	20.7	12.1	8.7	6.1	5.4	5.9	7.7	10.1	15.5	21.9	9.9
Temperature > 69° F	0.0	0.1	0.1	0.3	3.7	23.0	62.9	64.3	24.4	0.9	0.0	0.0	22.3
Mean Temperature (°F)	23.5	28.2	36.7	43.5	54.2	65.4	72.1	72.1	65.3	54.3	43.5	34.3	57.8
Temperature < 33° F [1]	78.8	61.2	26.8	4.8	0.5	0.0	0.0	0.0	0.0	0.3	8.6	37.2	4.6
Mean RH (%)	81	82	80	81	81	82	80	79	78	77	78	82	80
Overcast or Obscured [1]	52.6	44.6	44.2	32.5	26.4	21.0	18.2	22.0	24.0	29.3	46.6	55.0	28.8
Mean Cloud Cover (8ths)	6.2	5.6	5.5	4.9	4.6	4.2	4.1	4.3	4.5	5.0	6.1	6.5	4.8
Mean SLP (mbs)	1017	1019	1017	1015	1015	1015	1015	1016	1018	1016	1017	1018	1016
Ext. Max. SLP (mbs)	1042	1046	1038	1049	1052	1040	1042	1046	1054	1049	1053	1046	1054
Ext. Min. SLP (mbs)	985	985	984	969	979	980	984	983	981	979	969	968	968
Prevailing Wind Direction	SW	SW	SW	SW	SW	SW	SW	SW	SW	SW	SW	SW	SW
Thunder and Lightning [1]	0.6	0.6	0.6	1.0	1.5	3.0	3.3	3.0	2.2	1.0	0.5	0.3	1.9

[1] Percentage Frequency

year, the surface is subject to a consistent seasonal rise and fall, the lowest stages prevailing during the winter and the highest during the summer.

(23) In addition to the normal seasonal fluctuations, oscillations of irregular amount and duration are also produced by storms. Winds and barometric pressure changes that accompany squalls can produce fluctuations that last from a few minutes to a few hours. At other times, strong winds of sustained speed and direction can produce fluctuations that last a few hours or a day. These winds drive forward a greater volume of surface water than can be carried off by the lower return currents, thus raising the water level on the lee shore and lowering it on the windward shore. This type of fluctuation has a very pronounced effect on Lake Erie, because it is the shallowest of the Great Lakes and affords the least opportunity for the impelled upper water to return through lower return currents beneath the depth disturbed by storms. As a result, the water level in the harbors, particularly those at the ends of the lake, fluctuates markedly under the influence of the winds; the amount of fluctuation depends on the direction, strength, and duration of the wind. Fluctuations as great as 10 feet and lasting as long as 12 hours have been observed. September through April is the most likely period, particularly November, December, and January. At the east end of the lake, west winds pile up water in Buffalo Harbor and increase the depth in Niagara River, while east winds drive the water out of Buffalo Harbor and decrease the flow and depths in Niagara River. The winds produce exactly the opposite effect at the west end of the lake; the greatest effects are at Sandusky, Toledo, and the mouth of Detroit River. Intermediate points are not subject to level changes as great as those at the ends of the lake. Along the south shore, fluctuations caused by winds are generally less than 1 foot above or below normal; extreme fluctuations of about 2 feet above or below normal may occur.

(24)

Weather, Lake Erie

(25) Strong winds are mostly likely in autumn during the navigation season; November and December are the worst as gales blow 6 to 9 percent of the time. However, Lake Erie's maximum wind occurred in July, north-northwest at 87 knots. Reported by two vessels, these winds were triggered by an Independence Day (1969) squall line. Gales, however, are encountered less than 1 percent of the time from May through September. Summer winds blow mainly out of the south through west, particularly southwest. These directions are also favored during other seasons along with northwesterlies and northeasterlies.

(26) The shallowness and orientation of Lake Erie make it susceptible to southwest and northeast winds, which can quickly raise dangerous seas and, if persistent, create a dangerous surge problem at both ends of the lake. Rough seas are most frequent in autumn and in the east half of the lake. Waves of 10 feet (3 m) or more can be expected up to 3 percent of the time in the east, while seas of 5 feet (1.5 m) or more are encountered 30 percent of the time lakewide; extremes of 15 to 20 feet (4.5 to 6 m) have been encountered.

(27) Poor visibility is mainly a spring and autumn navigational problem. Over open waters, spring is the most prevalent fog season. Visibilities of less than 0.5 statute mile (0.4 nm) occur up to 5 percent of the time. Visibilities of 2 statue miles (1.7 nm) or less occur 5 to 10 percent of the time during most of the navigation season. The shoreline is susceptible to both autumn radiation fogs and early spring advection fogs. Fog is more frequent along the north shore.

(28) The visibilities at Simcoe, Ontario drop to less than 0.5 statute mile (0.4 nm) on an average of 46 days annually compared to a range of 15 to 23 days along the south shore. At Simcoe this includes about 4 to 6 days of

fog per month in autumn and early spring, about twice as many days as Buffalo, Erie, or Toledo.

(29) Thunderstorms are responsible for some of the strongest winds on the lake. They are generally a problem from April through September, but can occur at any time. Over the open lake, they occur 1 to 3 percent of the time with a peak during the summer months. They are most likely between sunset and sunrise. Onshore they most often occur during the late afternoon, on 25 to 30 days annually. During June, July, and August, they blow on 5 to 10 days per month.

(30)

Ice

(31) The west end of Lake Erie is very shallow and freezes rapidly, the time of occurrence depending heavily on the temperatures. The ice attains an average thickness of 7 inches and an average maximum thickness of 11 inches. In Maumee Bay, the ice forms a solid sheet about 12 to 18 inches thick. The track through the channel to Toledo remains open except for a 3-foot thickness of brash ice, a slush ice under the refrozen surface. In South Passage, the ice reaches a thickness of about 18 inches because of slight rafting and ridging. During severe winters, thicknesses to 24 inches and windrows 5 feet high have been observed. By mid-March, the ice in the west end of the lake starts to clear because of the temperatures and the prevailing west winds. The ice in this area is field ice and covers over an opened track.

(32) The central part of the lake remains open through January except for a few strips of thin ice. Growth is rapid in February, and high concentrations of thin ice develop by mid-month. By early March, medium- thickness lake ice predominates, with somewhat better conditions along the Canadian shore. Decay and clearing is rapid in mid-March, and the remaining pack is usually concentrated east of Long Point by the end of the month.

(33) In the east part of the lake, ice begins to form in early to mid-January and may reach a thickness of 8 to 12 inches by the end of the month. The solid ice increases to 16 to 20 inches thick by the end of February. In Buffalo Harbor, an average thickness of 9 inches and an average maximum thickness of 18 inches can occur. In the lake, the prevailing west winds usually jam and pack the ice to form considerable windrows. Extremely hard pressure ridges 3 to 4 feet thick are not uncommon in February and March. As the ice on the rest of the lake begins to break up, the winds force it into the east end of the lake, and it completely blocks the approach to Buffalo Harbor. The soft deteriorating ice forms mush ice about 3 to 6 feet deep, interspersed with pressure ridges 4 to 6 feet deep. The mush ice has been reported as much as 20 feet deep in places. Rafted ice fields 15 to 20 feet above the water level have occurred during severe winters; under these conditions, ice can persist thought late May. (See Winter Navigation, Chapter 3.)

(34)

Submerged wellheads and pipelines

(35) Mariners are cautioned that oil and gas drilling towers are temporarily established in various parts of Canadian waters of Lake Erie. These towers have a quick flashing white light and a sound signal that sounds one blast of 2 seconds duration followed by 18 seconds of silence.

(36) There are many submerged gas pipelines and wellheads in the Canadian waters of Lake Erie; most of them are shown on the charts. Damage to these structures can be extremely hazardous because the natural gas is flammable, under pressure and contains toxic chemicals. Mariners are cautioned not to anchor in the vicinity of the submerged structures.

(37)

Fish netting areas

(38) In parts of Lake Erie that are intensively fished, gill nets, impounding nets, and trap nets may create a hazard to navigation. The areas most intensively fished and the principal type of nets employed are shown in an inset on NOAA chart 14820. However, fishing gear may be encountered at any location in the lake.

(39)

Routes

(40) The Lake Carriers' Association and the Canadian Shipowners Association have recommended, for vessels enrolled in the associations, the following separation of routes for upbound and downbound traffic in Lake Erie.

(41) Downbound: Vessels leaving the Detroit River for ports east of Middle Ground Shoal shall continue on course **164°** until 0.9 mile beyond **East Outer Channel Light 1E**; thence **095°** for 27 miles for **Pelee Passage Traffic Lighted Buoy P**; thence **122°** for 8.5 miles to pass one mile south of Southeast Shoal Light.

(42) Downbound vessels for Port Colborne or Buffalo, from point of departure, Southeast Shoal, shall lay a course of **071°** for 135 miles to pass not more than 9 miles off Long Point; then steer **054°** for 45 miles to Port Colborne or steer **063°** for 60 miles to Buffalo.

(43) Upbound vessels from Port Colborne or Buffalo, to a point on the south shore, east of Marblehead, lay a course to pass not over 5 miles off **Presque Isle Light.** The course from Port Colborne is **228°** for 62 miles, and the course from Buffalo is **236°** for 77 miles.

(44) Upbound vessels for Southeast Shoal from Port Colborne or Buffalo lay a course to pass not over 3 miles off Long Point. The course from Port Colborne is **241°** for 44 miles, and the course from Buffalo is **248°** for 60 miles; then steer **249°** for 134 miles to a position 1 mile south of Southeast Shoal.

(45) Upbound vessels for **Detroit River Light** departing from a position 1 mile south of **Southeast Shoal Light** shall steer **302°** for 8.5 miles to a position **323°** 1.75 miles from Pelee Passage Light, then steer **275°** for East Outer Channel Light 1E.

(55)

(46) For Toledo and Monroe, when 0.75 mile off Pelee Passage Light steer **272°** to pass 1.5 miles north of Middle Sister Island Light, thence to destination.

(47) It is understood that masters may exercise discretion in departing from these courses when ice and weather conditions are such as to warrant it. The recommended courses are shown on chart 14820, Lake Erie.

(48)

Pilotage

(49) The following waters of Lake Erie are Great Lakes designated waters: in the approach to Welland Canal within an arc drawn 1 mile to south of the outer light on the west breakwater at Port Colborne (Port Colborne Outer Light); west of a line on a bearing of about **026°** from Sandusky Harbor Breakwater Light to Southeast Shoal Light; and within a radius of 1 mile east of Sandusky Harbor Breakwater Light. Registered vessels of the United States and foreign vessels in these waters are required to have in their service a United States or Canadian registered pilot. The remaining waters of Lake Erie are Great Lakes undesignated waters; the above vessels are required to have in their service a United States or Canadian registered pilot or other officer qualified for Great Lakes undesignated waters. Registered pilots for the Welland Canal are supplied by Great Lakes Pilotage Authority, Ltd., St. Catharines, and for Lake Erie by Great Lakes Pilotage Authority, Ltd., St. Catharines, and Lakes Pilots Association. (See Appendix A for addresses.) Pilot exchange points are 1 to 2 miles south of Port Colborne and just below the Ambassador Bridge on the Detroit River. The pilot boat in the Detroit River, J. W. WESTCOTT II, has a black hull encircled by an orange band and a white cabin with the words "U.S. Mail" in black letters. (See Pilotage, Chapter 3, and **46 CFR 401**, Chapter 2.)

(50)

Principal ports

(51) The principal ports on Lake Erie are Buffalo, NY; Erie, PA; and Conneaut, Ashtabula, Fairport Harbor, Cleveland, Lorain, Huron, Sandusky, and Toledo, OH. Companies at several of the ports make above-the-waterline repairs to deep-draft vessels.

(52)

ENCs - US4NY32M, US5NY34M, US5NY35M
Charts - 14822, 14832, 14833

(53)

Niagara River above Niagara Falls

(54) At its east end, Lake Erie becomes comparatively narrow and has its outlet in the Niagara River. From the head of the river, it is about 20 miles to the falls and rapids of **American Falls** and **Horseshoe Falls .** About 5 miles below the head, the river is divided into two channels by **Strawberry Island** and **Grand Island.Tonawanda Channel** and **Niagara River Channel,** the U.S. channels, lead to the east of these islands, and **Chippawa Channel,**

the Canadian channel, leads to the west of these islands. At the lower end of Grand Island, the channels rejoin and lead for about 3.5 miles to the falls.

(56) The **International boundary** between the United States and Canada follows a general middle of the river course in the upper Niagara River from the head of the river downstream to the head of Grand Island where the river forks around the island. The boundary then follows Chippawa Channel and is generally less than 1,000 feet off the west shore of Grand Island until Chippawa Channel and Niagara River Channel join at the northwest end of Grand Island. The boundary again follows a general middle of the river course around the south side of **Goat Island** and over Niagara Falls.

(57)

Chart Datum, Upper Niagara River

(58) Depths and vertical clearances under overhead cables and bridges in the Niagara River from its confluence with Lake Erie to the head of navigation, the turning basin at Niagara Falls, NY, is as follows: from Lake Erie to the Black Rock Canal Lock is the Low Water Datum of Lake Erie, 569.2 feet (173.5 meters); from just below the Black Rock Canal Lock to the south end of Grand Island is the sloping surface of the river, when the water surface just below the lock is at 564.4 feet (172.03 meters) and the Huntley Station gauge (at Niagara Mohawk Power Corporation plant) reads 563.8 feet (171.85 meters); from the south end of Grand Island to the south end of Tonawanda Island is the sloping surface of the river, when the Huntley Station gauge reads 563.8 feet (171.85 meters) and the gauge at Tonawanda Island reads 563.4 feet (171.73 meters); from the south end of Tonawanda Island to the turning basin at Niagara Falls, NY, is the sloping surface of the river, when the gauge at Tonawanda Island reads 563.4 feet (171.73 meters) and the gauge at Power Plant Intakes reads 561.5 feet (171.13 meters). All elevations are above mean water level at Rimouski, QC, on International Great Lakes Datum 1985 (IGLD 1985). (See Chart Datum, Great Lakes System, indexed as such, Chapter 1.)

(59)

Fluctuations of Water Level

(60) Variations in Lake Erie levels above or below Low Water Datum are reflected in Niagara River levels. The amount of the variation ranges from the full Lake Erie variation at the head of the river and gradually diminishes downstream to the vicinity of Chippawa, ON, just above Niagara Falls.

(61) From Lake Erie, the fall of the Niagara River is about 10 feet to the head of the upper rapids near the junction with the Welland River. Just below the Welland River entrance, about 1.2 miles east of Goat Island, the Niagara waters begin their rapid descent to the level of Lake Ontario through the rapids above the falls, the great falls themselves, and the rapids below the falls. From the upper rapids, the fall of the river to Lake Ontario is about 316.5 feet.

(62)

Currents

(63) For about 1.7 miles, from its head to just above Peace Bridge, the river is wide, shallow, and rocky, and the current is from 2 to 3 mph. Just above the Peace Bridge, the river becomes a narrow gorge for about 2 miles to the lower end of Unity Island. In the upper part of this gorge, the river is shallow, and the currents are about 8 mph at low to mean river stages and 9 mph at high stages. In the lower part of the gorge, the river is deeper and somewhat wider.

(64) In 1986, with water level at 4.8 feet above low water datum, speed of the current was 7.7 to 9.7 knots.

(65) Currents just below the International Bridge have speeds of 4 mph at low to mean river stages and 4.75 to 5 mph at high stages. In Tonawanda and Chippawa Channels, the currents vary from 1 to 4 mph.

(66)

Channels

(67) Black Rock Canal is the recommended route from Lake Erie to facilities in the Niagara River below **Unity Island**. The channel formerly dredged in the open river west of Bird Island Reef and Unity Island has shoaled to depths of 10 feet or less. The bottom in this reach is generally rocky, and the currents are strong and variable. Great care should be exercised in navigating this section of the river.

(68) A floating steel pontoon ice boom is placed across the entrance to the head of the Niagara River during the winter. In any one year, installation of the boom shall not commence prior to December 16 or prior to the water temperature at the Buffalo water intake reaching 4°C (39°F), whichever occurs first. The boom shall be opened by April 1, unless there is more than 250 square miles of ice east of Long Point (42°33'N., 80°03'W.); complete disassembly and removal of all floatation equipment shall be completed within two weeks thereafter.

(69) **Black Rock Canal** provides a safe passage for vessels around the rapids and shoals in the head of the Niagara River.

(70) The Lake Erie entrance to Black Rock Canal is through Buffalo Harbor North Entrance Channel and across the northern section of Outer Harbor to Black Rock Canal Entrance Channel. From its entrance, the canal leads northward along the Buffalo front, parallel with the river and separated from it by **Bird Island Pier** and Unity Island. Bird Island Pier and Unity Island retain the canal pool from the west, and, along with Black Rock Lock, serve to keep the canal level at the same elevation as the water surface of Lake Erie.

(71) From Black Rock Lock at the northern end of Unity Island, a dredged channel continues northward through Tonawanda Channel for about 9 miles to a turning basin on the north side of **Tonawanda Island** at North Tonawanda.

(72) From Buffalo North Entrance Channel through Black Rock Canal and Lock to and in the turning basin north of Tonawanda Island, the Federal project depth is 21

feet. (See Notice to Mariners and the chart for controlling depths.)

(73) From the downstream end of the turning basin at North Tonawanda, Niagara River Channel leads along the north side of Grand Island to a basin off the public dock at Niagara Falls, NY.

(74) Black Rock Canal and the dredged channels leading to the turning basin north of Tonawanda Island are marked by lights, buoys, and lighted ranges.

(75) Passing down the Niagara River from Lake Erie toward Niagara Falls is considered "proceeding from seaward." Buoyage in the river and the Black Rock Canal is based on this convention. Red buoys are on the right-hand side, looking downstream, and green on the left-hand side.

(76) **Black Rock Lock** connects the canal with the river near the foot of Unity Island. The lock has a usable length of 625 feet with a clear width of 68 feet and a depth of 21 feet over the sills; the average lift of the lock is 5 feet.

(77) **Locking Through**–when approaching Black Rock Lock, vessel operators must inform lock personnel, well in advance, of their desire to pass through the lock. Personnel will indicate when it is safe to proceed into the lock. Contact lock personnel on VHF-FM channel 16; channels 12 and 14 are working channels. A horn signal of two long and two short blasts indicates to lock personnel that you wish to lock through. This signal should be given regardless of any other communication you may have established. See **33 CFR 207.590**, Chapter 2, for details on navigating the canal and lock.

(78) The following signals control the movement of vessels through Black Rock Lock:

(79) For downbound (northbound) traffic, a signal light mounted on a standard on the east approach wall at the entrance to the lock chamber shows green to indicate a clear entrance into the lock chamber. When this signal is red, the downbound vessel will moor at the east approach wall until such time as clear entrance to the lock is indicated by the green light.

(80) For upbound (southbound) traffic approaching the lock from the Niagara River channel, a signal light shows green to indicate a clear entrance to the lock chamber and red to indicate that the lock chamber is closed.

(81) A **special anchorage** is on the west side of Black Rock Canal inside the pier at 42°53'45"N., 78°54'15"W. (See **33 CFR 110.1** and **110.84**, Chapter 2, for limits and regulations.)

(82) **Caution**.—The canal generally has a slight current downstream. During rapidly rising or high water in Lake Erie, there is a strong crosscurrent at the south end of Bird Island Pier.

(83)

Bridges

(84) The **Peace Bridge** (42°54'23"N., 78°54'07"W.) crossing Black Rock Canal has a 200-foot fixed span with a vertical clearance of 100 feet—an overhead power cable 0.2 mile below the bridge has a vertical clearance of 144 feet. The **Ferry Street Bridge** (42°54'55"N., 78°54'08"W.) has a 149-foot bascule span with a vertical clearance of 17 feet for 86 feet from the east abutment, thence decreasing to 12 feet at the west abutment. The bridgetender monitors VHF-FM channel 16 and works on channel 12. The **International Bridge** (42°55'53"N., 78°54'08"W.) with a combined rail and highway swing span has a vertical clearance of 17 feet—an overhead power cable, 500 feet southeast of the bridge, has a reported vertical clearance of 121 feet. (See **33 CFR 117.1** through **117.49** and **117.769**, Chapter 2, for drawbridge regulations.)

(85)

Regulations

(86) A **speed limit** of 6 mph (5.2 knots) is enforced in Black Rock Canal. (See **33 CFR 162.175** and **207.590**, Chapter 2, for canal regulations.)

(87) The canal has no docks or facilities for mooring large vessels. The Buffalo Yacht Club maintains a small-craft basin on the canal adjacent to the Buffalo waterworks pumping station. Downstream from the yacht club basin, a berthing area about 12 feet deep has been dredged for the U.S. Naval and Marine Corps Reserve Training Center.

(88) **Peace Bridge** crosses the open Niagara River about 1.5 miles from the head. The bridge has four fixed spans with clearances listed from west to east (going toward the Black Rock Canal): 50 feet for a center width of 100 feet; 61 feet for a center width of 100 feet, 71 feet for a center width of 120 feet, and 83 feet for a center width of 120 feet. The normal vessel route is under the fourth span from the U.S. mainland (the first being the bowstring truss over the Black Rock Canal). An intake crib is just downstream of the third span from the U.S. mainland. Navigation through this span is difficult in the turbulent current.

(89) An overhead power cable with a clearance of 126 feet crosses the river 0.2 mile downstream of Peace Bridge.

(90) **International Bridge** crosses the river about 1.5 miles below Peace Bridge. This railroad bridge has fixed spans with clearances of 22 feet.

(91) Just below International Bridge on each side of the river are submerged flowmeter pilings about 13 feet below the water surface.

(92) **Fort Erie, ON** is a community on the west side of the head of the Niagara River.

(93) **Lower Black Rock Harbor** is the name applied to the part of Buffalo which fronts on the Niagara River below Black Rock Lock. The harbor is about 0.75 mile long with the upper part between the lock and the mainland. Loaded vessels should use the Black Rock Canal to approach the harbor. Approaching from the open river, the current passing the guide pier below the Black Rock Lock creates a powerful eddy with water flowing upstream along the U.S. side for more than 0.5 mile below

the lock. Caution is advised when entering the harbor or docking. The harbor has several marinas. Transient berths, gasoline, diesel fuel, water, ice, electricity, marine supplies, a launching ramp, mobile lifts to 30 tons, and hull, engine, and electronic repairs are available. In 1977, depths of 7 to 12 feet were reported alongside the berths.

(94) Just below Black Rock Lock, **Strawberry Island** divides the Niagara River into Chippawa Channel and Tonawanda Channel, leading west and east, respectively, of Grand Island. **Chippawa Channel** extends from Strawberry Island for about 11 miles along the southwest and west sides of Grand Island to **Navy Island** at the downstream end. The channel leads around either side of Navy Island and joins Niagara River Channel to flow to **Niagara Falls.** Both sides of Navy Island have good channels but care must be taken to avoid the shoals that extend off the south and northwest tips of the island.

(95) Chippawa Channel has several small-craft facilities on both the Grand Island, United States, side of the channel and the mainland Ontario side. Beaver Island State Park Marina is at the south end of Grand Island. Transient berths, water, electricity, and sewage pump-out facilities are available. In 2002, depths of 5 feet were reported in the entrance with 4 feet alongside the berths. Big Six Mile Creek Marina is on the west side of Grand Island about 7.5 miles from the upper end of the channel. Transient berths, gasoline, water, electricity, sewage pump-out facilities, and launching ramps are available. In 1977, depths of 8 feet were reported in the entrance with 6 to 10 feet alongside the berths reported in 1982. A fixed highway bridge and two overhead cables crossing the entrance have a reported least clearance of 16 feet.

(96) The Niagara Parks Commission marina, on the Canadian side of Chippawa Channel opposite Beaver Island State Park, has gasoline, diesel fuel, and sewage pump-out facilities. Depths of 10 feet are reported alongside the marina wharf.

(97) **Tonawanda Channel** extends from Strawberry Island for about 8.5 miles along the east side of Grand Island to Tonawanda Island and the adjoining cities of Tonawanda and North Tonawanda. The dredged and natural channel through this stretch was previously described.

(98) **South Grand Island Bridge**, crossing the channel about 3.4 miles below Strawberry Island, has twin fixed highway spans with a clearance of 99 feet at the center of the central spans. Vessels requiring the full height should keep at least 90 feet from the face of the piers. Two overhead power cables with a minimum clearance of 115 feet cross the channel about 0.75 mile downstream of the bridge.

(99)

Wharves

(100) Several deep-draft facilities are in Tonawanda Channel on the east side of the river. The depths alongside are reported depths; for the latest depths, contact the operators.

(101) **NRG Energy CR Huntley, Station Coal Wharf** (42°58'10"N., 78°55'46"W.): 753 feet of berthing space with a depth of 17 feet alongside and a deck height of 10 feet; open storage for 500,000 tons of coal; receipt of coal for plant consumption; owned and operated by NRG Energy, Inc.

(102) **Marathon Ashland Petroleum Tonawanda Terminal Wharf** (42°58'39"N.,78°56'22"W.): 1,410 feet of berthing space with a depth of 21 feet alongside and a deck height of 8 feet; tank storage with a capacity for 110,000 barrels of asphalt; receipt of asphalt by barge; owned and operated by Marathon Ashland Petroleum Co.

(103) **NOCO Energy Corp. Tonawanda Terminal Wharf** (43°00'03"N.,78°55'45"W.): 400 feet of berthing space with a depth of 21 feet alongside and a deck height of 12 feet; tank storage with a capacity of 1,066,150 barrels; receipt of petroleum products by barge and tanker; owned and operated by NOCO Energy Corp.

(104) Several marinas on both sides of Tonawanda Channel between Strawberry Island and South Grand Island Bridge provide transient berths, gasoline, diesel fuel, water, ice, electricity, sewage pump-out, marine supplies, and launching ramps. Mobile lifts to 40 tons are available for hull, engine, and electronic repairs. In 1977, depths of 25 feet and less were reported alongside the berths.

(105) **Tonawanda Harbor**, about 12 miles via Tonawanda Channel below the head of the Niagara River, is the west terminus of the New York State Canal. The harbor comprises the river frontage of **Tonawanda, NY,** and **North Tonawanda, NY; Tonawanda Creek,** which separates the two cities, for about 1,400 feet to the Main-Webster Street Bridge; and all of the waterfront of Tonawanda Island, which lies in the river off the main shore.

(106) The part of Tonawanda Harbor extending south from the North Tonawanda turning basin along the east side of Tonawanda Island has depths of about 15 feet with depths of 12 feet in Tonawanda Creek from the mouth to the highway bridge 0.2 mile above the mouth.

(107)

Bridges

(108) Two bridges cross Tonawanda Harbor from the south part of Tonawanda Island to the mainland. Frederick B. Durkee Memorial Bridge is a fixed highway span with a clearance of 14 feet at the center. A railroad swing bridge just south has a clearance of 10 feet, but is being maintained in the open position. (See **33 CFR 117.1** through **117.59** and **117.811**, Chapter 2, for drawbridge regulations.)

(109) Three bridges cross the lower part of Tonawanda Creek. A railroad swing bridge just above the mouth has a clearance of 9 feet. (See **33 CFR 117.809**, Chapter 2, for drawbridge regulations.) The bridge is maintained in the open position. Fixed highway bridges 0.2 and 0.3

(125.0010)

CLIMATOLOGICAL DATA – NIAGARA FALLS, NEW YORK (43°06'N, 78°57'W) 590 feet (180 m)

WEATHER ELEMENTS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YEAR	YEARS OF RECORD
SEA LEVEL PRESSURE (station pressure reduced to sea level)														
Mean (millibars)	1019.0	1019.5	1017.8	1016.7	1016.6	1016.1	1017.3	1018.5	1019.4	1020.1	1018.7	1018.9	1018.2	34
TEMPERATURE (°F)														
Mean	25.0	25.8	33.1	46.6	56.3	66.5	71.6	70.2	61.8	51.9	41.0	29.0	48.0	19
Mean daily maximum	31.2	32.8	40.4	56.0	66.5	76.6	81.2	79.7	71.4	60.9	47.7	34.9	56.3	19
Mean daily minimum	18.3	18.4	25.3	36.6	45.5	55.9	61.4	60.3	51.6	42.4	33.8	22.6	39.2	19
Extreme (highest)	64	61	78	85	88	95	94	93	96	81	79	61	96	19
Extreme (lowest)	-16	-9	-9	12	28	37	46	45	30	23	4	-7	-16	19
RELATIVE HUMIDITY														
Average percentage	64.9	69.9	53.2	42.4	40.7	35.6	48.3	59.6	68.9	76.4	62.3	64.3	57.2	35
CLOUD COVER														
Percent of time clear	5.3	6.0	10.9	14.1	13.1	12.0	12.5	13.6	14.5	13.7	5.7	4.2	10.4	35
Percent of time scattered	14.3	15.7	18.6	21.0	24.3	29.8	35.0	30.2	27.6	22.9	16.1	13.5	22.3	35
Percent of time broken	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	35
Percent of time overcast	59.5	55.0	48.6	44.5	38.7	30.5	24.3	27.1	31.5	38.4	55.8	61.8	43.2	35
PRECIPITATION (inches)														
Mean amount	2.8	2.4	2.8	3.0	2.9	2.2	2.6	3.9	2.7	2.7	2.9	2.9	34.3	19
Greatest amount	4.6	4.9	5.0	4.8	6.4	4.7	6.1	8.9	4.1	7.1	5.0	6.6	44.4	19
Least amount	1.4	0.5	0.7	1.0	0.7	0.2	0.5	0.7	1.0	T	1.1	1.0	25.3	19
Maximum amount (24 hours)	1.5	3.1	2.3	1.6	1.8	2.5	1.6	3.2	2.7	2.4	2.2	1.4	3.2	19
Mean number of days	28	24	24	21	19	16	16	16	17	18	24	27	250	17
SNOW														
Mean amount	16.2	14.9	11.0	2.3	0.0	0.0	0.0	0.0	T	0.2	4.6	14.9	64.2	19
Greatest amount	30.8	39.0	28.7	9.5	0.4	0.0	0.0	0.0	T	2.5	19.7	27.2	91.9	19
Least amount	0.4	0.2	T	T	0.0	0.0	0.0	0.0	0.0	0.0	0.1	5.8	37.6	19
Maximum amount (24 hours)	9.6	9.4	12.0	5.5	0.4	0.0	0.0	0.0	T	2.5	9.6	8.9	12.0	19
Mean number of days	25	21	17	6	Miss	0	0	0	Miss	2	12	23	106	17
WIND														
Percentage with gales	0.19	0.05	0.09	0.04	0.07	0.00	0.00	0.00	0.00	0.01	0.04	0.10	0.05	35
Mean wind speed (knots)	10.9	10.2	9.7	9.4	8.2	7.8	7.3	7.1	7.4	8.3	9.5	10.1	8.8	35
Direction (percentage of observations)														
North	3.2	4.4	4.1	5.6	4.9	6.0	5.4	5.8	5.3	5.1	3.9	3.3	4.7	35
North Northeast	1.7	2.3	3.1	3.1	3.2	2.6	2.6	3.1	3.0	2.6	2.1	1.7	2.6	35
Northeast	2.2	3.2	4.7	4.2	4.5	3.6	2.9	4.1	3.7	3.7	3.1	2.7	3.5	35
East Northeast	3.7	5.0	6.6	5.7	5.2	4.2	2.9	4.0	4.4	4.5	3.7	4.1	4.5	35
East	7.4	7.6	8.5	7.7	6.4	4.8	4.1	5.0	6.6	7.1	7.1	7.9	6.7	35
East Southeast	2.7	2.1	2.8	2.8	2.8	2.1	2.1	2.8	3.2	3.1	3.4	3.6	2.8	35
Southeast	1.6	1.8	1.6	1.7	1.9	1.9	1.7	2.2	2.7	2.5	2.7	1.8	2.0	35
South Southeast	1.7	2.1	1.8	2.0	2.0	1.7	1.7	1.6	1.7	2.4	2.7	2.5	2.0	35
South	6.7	6.4	6.2	6.9	7.9	8.0	7.7	7.5	9.4	9.6	8.0	6.3	7.6	35
South Southwest	6.7	7.1	6.1	8.1	10.4	10.6	10.3	9.4	9.3	8.4	6.5	5.6	8.2	35
Southwest	11.1	11.6	10.4	12.4	14.0	16.1	17.7	14.7	11.8	10.5	10.0	9.7	12.5	35
West Southwest	15.5	12.6	8.5	8.5	8.0	8.8	8.5	8.5	7.4	8.0	10.9	13.5	9.9	35
West	16.7	11.7	9.8	6.7	5.4	5.5	6.0	6.2	7.2	9.6	15.5	17.2	9.9	35
West Northwest	5.5	6.8	7.9	7.2	5.6	5.5	5.3	5.3	6.4	5.6	6.5	5.7	6.1	35
Northwest	5.1	6.7	7.7	7.3	5.9	6.2	6.9	5.6	5.3	5.1	4.8	4.6	5.9	35
North Northwest	3.8	3.9	4.4	4.5	4.1	4.3	4.9	4.1	3.3	4.0	3.7	4.2	4.1	35
Calm	4.7	4.9	5.6	5.6	7.8	8.1	9.4	10.3	9.4	8.3	5.6	5.4	7.1	35
Direction (mean speed, knots)														
North	9.1	9.8	8.4	8.5	8.0	7.5	7.0	7.0	6.9	7.5	8.2	8.3	7.9	35
North Northeast	7.9	8.9	8.1	8.7	7.9	7.2	7.4	7.8	7.0	7.6	8.1	8.6	7.9	35
Northeast	8.6	9.4	9.0	9.2	8.3	8.0	7.0	7.1	7.2	7.9	8.2	8.1	8.2	35
East Northeast	8.7	8.8	9.4	9.5	8.7	7.3	6.6	6.7	6.7	7.1	7.6	8.3	8.1	35
East	8.5	8.5	9.0	8.8	7.6	6.7	6.1	6.0	6.2	6.8	7.3	8.5	7.7	35
East Southeast	6.8	6.5	7.7	7.9	6.6	5.9	6.1	5.8	5.7	6.0	6.7	6.7	6.5	35
Southeast	6.5	6.5	7.1	7.1	6.8	5.9	5.8	5.5	5.5	6.4	6.5	6.1	6.3	35
South Southeast	7.6	8.2	8.0	8.2	6.9	6.1	5.9	5.4	5.9	6.8	8.1	7.8	7.2	35
South	10.0	9.0	9.0	8.1	7.6	7.1	6.9	6.9	7.9	8.6	9.6	9.2	8.3	35
South Southwest	11.7	11.4	10.4	10.0	9.3	9.0	8.9	8.7	9.3	10.2	11.0	11.7	9.9	35
Southwest	14.0	12.3	12.1	11.5	10.3	9.9	9.5	9.3	10.0	11.3	12.0	13.1	11.1	35
West Southwest	14.5	13.4	12.7	12.0	10.2	10.0	9.5	9.5	9.9	11.0	12.3	13.1	11.9	35
West	12.7	11.8	11.6	10.7	9.3	8.8	7.5	7.5	8.6	10.4	11.3	11.9	10.8	35
West Northwest	11.5	10.9	11.0	10.7	9.5	9.4	8.6	8.2	8.8	10.0	10.4	11.3	10.1	35
Northwest	10.7	10.8	10.9	10.5	9.2	8.7	8.4	8.0	8.8	9.3	10.4	11.4	9.8	35
North Northwest	10.6	10.0	9.5	9.6	8.5	8.6	8.2	8.0	8.5	8.8	9.8	10.6	9.2	35
VISIBILITY														
Mean number of days with fog	15	14	16	15	16	15	17	20	18	16	15	16	193	17

T = trace (not measurable) amount of precipitation
Miss or blank is a missing value

mile above the mouth have clearances of 24 and 15 feet, respectively.

(110) A **speed limit** of 5 mph (4.4 knots) is enforced in the harbor and in Tonawanda and Ellicott Creeks within the Tonawanda and North Tonawanda city limits. The **harbormasters** of both communities and the sheriff of Erie County enforce these laws and can be contacted through their respective departments.

(111) Several marinas in the harbor provide transient berths, gasoline, diesel fuel, water, ice, electricity, sewage pump-out, and marine supplies. Mobile lifts to 40 tons are available for hull, engine, and electronic repairs. In 1977, depths of 8 to 13 feet were reported alongside the berths.

(112) The **New York State Canal System** is entered through Tonawanda Creek. (The canal system is described in Chapter 14.)

(113) **Niagara River Channel**, a dredged channel, leads from the lower end of the turning basin at North Tonawanda along the north side of Grand Island to a basin off the public dock at Niagara Falls, NY. The channel is marked by lighted buoys. (See Notice to Mariners and the latest edition of the chart for controlling depths.)

(114) **Cayuga Island**, close to the north shore of Niagara River Channel about 5 miles below Tonawanda Island, is separated from the mainland by **Little River,** which outlets at either end of the island. **Cayuga Creek** flows into Little River at about midlength of the island. Little River and Cayuga Creek afford a well-protected harbor for small craft.

(115) A dredged entrance channel leads from deep water in Niagara River through the lower entrance to Little River. In 2016, the controlling depth was 3½ feet. The upper entrance to Little River, marked by a private **344°** range, had a reported controlling depth of 4 feet in 1980. Depths inside are about 4 to 7 feet.

(116) A fixed highway bridge with a reported clearance of 10 feet crosses Little River just west of the mouth of Cayuga Creek. An overhead cable with a clearance of 55 feet crosses the river about 0.35 mile west of the bridge. A fixed highway bridge crossing Cayuga Creek just above the mouth has a clearance of 9 feet.

(117) A marina on the north side of the lower entrance to Little River provides gasoline, ice, a launching ramp, a 2-ton lift, and hull and engine repairs.

(118) **Buckhorn Island** is at the northwest end of Grand Island opposite Niagara Falls, NY. A two-section permanent flow control dike extends northwest from the west end of Buckhorn Island closing off the former Buckhorn Channel. Lights mark the ends of the dikes.

(119) An unmarked **dumping ground** is between the dredged portion of Niagara River Channel and the northeast end of Buckhorn Island; caution is advised.

(120) **North Grand Island Bridge**, a twin fixed highway bridge, crosses the river between Niagara Falls, NY, and Buckhorn Island. The bridge has a clearance of 50 feet for a center width of 260 feet over the central span of the Niagara River Channel. Two overhead power cables crossing the river about 0.5 and 0.7 mile below the bridge have clearances of 79 and 75 feet, respectively. Cable support towers in the river are marked by lights.

(121) **Niagara Falls, NY**, is on the north shore of the Niagara River at the west end of Niagara River Channel. A public dock on the north side of the dredged basin at Niagara Falls provides 300 feet of berthing space with 4 feet reported alongside in 1977.

(122)

Weather, Niagara Falls

(123) Niagara Falls, NY, located in extreme northwestern New York is on the isthmus between Lake Ontario and Lake Erie. The average annual temperature is 48°F (8.9°C) with an average maximum of 56°F (13.3°C) and an average minimum of 40°F (4.4°C). The all time extremes in temperature are 96°F (35.6°C) and -16°F (-26.7°C). July is the warmest month averaging 72°F (21.7°C) and January the coolest, averaging 24°F (-4.4°C). June through September have each recorded temperatures in excess of 90°F (32.2°C) and every month except June, July, and August have seen temperatures below freezing (0°C).

(124) The average annual precipitation for Niagara Falls is 33.93 inches (861.8 mm) which is fairly evenly distributed throughout the year. The wettest month is August with 4.31 inches (109.4 mm) and the driest, June, averages only 1.87 inches (47.5 mm). Snow fall averages about 66 inches (1676 mm) each year. December, January, and February each average greater than 15 inches (381 mm) per year with a slight maximum in January. Snow has fallen in every month except June, July, and August.

(125) The prevailing wind direction in Niagara Falls is southwest, off the lake, throughout the year.

(126) <Deleted Paragraph>

(127) Niagara Falls is a **customs port of entry.**

(128) Southwest of Niagara Falls, NY, Niagara River Channel and Chippawa Channel join, and the Niagara River, more than 1 mile wide at the junction, flows west for almost 3 miles to the falls. In this stretch above the falls, the river becomes quite shallow with numerous submerged rocks. The deeper water is generally close to the south shore west of Navy Island as far as Chippawa, ON.

(129) **Chippawa, ON**, is on the south shore of the Niagara River about 1.8 miles above Niagara Falls, at the junction with the **Welland River.** At the junction of the two rivers are the intake structures of the Queenston plant of the Ontario Hydro-Electric Power Commission. Because of the intake structures, the flow of the Welland River has been reversed and is now from the Niagara River. Mariners are cautioned that the current in the Niagara River at the entrance to the Welland River is very strong. From the entrance, the power commission has dredged the Welland River to a depth of 30 feet for about 4 miles. Above this point, the controlling depth is about 6 feet.

(145)

(130) The United States and Canadian Governments have designated the Niagara River for about 2 miles above the falls a safety zone. (See **33 CFR 165.1** through **165.7**, **165.20** through **165.25**,and **165.902**, Chapter 2, for limits and regulations in U.S. waters.)

(130.001) All vessels are prohibited from entering the part of Niagara River downstream of a line joining the end of the breakwater at the mouth of Welland River and the westerly side of the mouth of Gill Creek at Niagara Falls, New York.

(131) <131-142 Deleted>

(143)

ENCs - US4NY32M, US5NY34M, US5NY35M
Charts - 14822, 14832, 14833

(144) **Buffalo Harbor** is at the east end of Lake Erie, where the lake converges to an open and comparatively shallow bay about 8 miles across north and south and is subject to great storms from the southwest. The lake discharges into the Niagara River at the northeast corner of this bay. The city of **Buffalo, NY,** is along the east lakeshore and the east bank of the head of the Niagara River. **Buffalo River** meanders through the city from east to west and enters the lake near the head of the Niagara River.

(146) Waterborne commerce at the port is in iron ore, limestone, iron and steel products, petroleum and coal products, grain, sand, tar, cement, salt, other minerals, and general and containerized cargo in the foreign and domestic trades.

(147)

Prominent features

(148) The stacks at Lackawanna Canal near the south end of the harbor are the most conspicuous objects when approaching Buffalo Harbor. Also prominent are the HSBC Bank building and the City Hall tower in downtown Buffalo.

(149) **Buffalo Harbor Light** (42°52'14"N., 78°54'09"W.), 71 feet above the water, is shown from a white tower on the south end of the detached west breakwater on the north side of Buffalo Harbor North Entrance Channel. A mariner radio activated sound signal at the light is initiated by keying the microphone five times on VHF-FM channel 83A.

(150)

Channels

(151) A Federal project provides for dredged channels in an **Outer Harbor** formed by breakwaters parallel with the shore and in **Buffalo River**, **Buffalo Ship Canal** and **Black Rock Canal**. (See Notices to Mariners and the latest edition of the chart for controlling depths.)

(152) The north and south entrances to the Outer Harbor are marked by lights on the ends of the breakwaters; the north entrance is also marked by lighted buoys. There is

(167)

Structures across the Buffalo Waterways

Name•Description•Type	Location	Miles*	Clear Width of Draw or Span Opening (feet)	Clear Height above Low Water Datum (feet)	Information
Buffalo River					
Buffalo Skyway Bridge (fixed)	42°52'28"N., 78°52'42"W.	1.00	215	100	
Michigan Avenue Bridge (vertical lift)	42°52'18"N., 78°52'23"W.	1.34	183	17.5 (down) 100 (up)	Note 1
Ohio Street Bridge (vertical lift)	42°51'43"N., 78°52'03"W.	2.10	250	17 (down) 105 (up)	Note 1
Overhead power cable	42°51'24"N., 78°51'17"W.	3.40		133	
CSX Transportation Railroad Bridge (bascule)	42°51'47"N., 78°51'13"W.	4.02	100	18	Note 1
CSX Transportation Railroad Bridge (bascule)	42°51'36"N., 78°50'55"W.	4.39	97	12	Note 1
Buffalo Creek Railroad Bridge (bascule)	42°51'36"N., 78°50'55"W.	4.39	97	12	
ConRail Bridge (bascule)	42°51'41"N., 78°50'42"W.	5.07	110	38	Bridge is reported removed
South Park Avenue Bridge (vertical lift)	42°51'47"N., 78°50'34"W.	5.22	200	19 (down) 95 (up)	Notes 1 and 2
Conrail Bridge (bascule)	42°51'38"N., 78°49'58"W.	5.79	100	26	Bridge is reported removed
Bailey Avenue Bridge (bascule)	42°51'44"N., 78°49'30"W.	6.24	90	21	
Cazenovia Creek					
Overhead power cable	42°51'38"N., 78°49'32"W.	6.19	N/A	N/A	
Bailey Avenue Bridge (fixed)	42°51'38"N., 78°49'31"W.	6.22		12	
Buffalo Ship Canal					
Buffalo Skyway Bridge (fixed)	42°52'20"N., 78°52'44"W.	1.10	193	100	
Union Canal					
Fuhrmann Boulevard Bridge (fixed)	42°50'02"N., 78°51'17"W.	0.68	50	3	Clearances are reported
Father Baker Memorial Bridge (fixed)	42°50'02"N., 78°51'15"W.	0.70	50	30	Clearances are reported

* Miles above North Breakwater South End Light

Note 1 – See 33 CFR 117.1 through 117.59 and 117.773, chapter 2, for drawbridge regulations.
Note 2 – Clear height when raised is 95 feet at left channel limit increasing to 100 feet 25 feet channelward of right channel limit and 100 feet at right channel limit. Clear height when closed is 19 feet at left channel limit and 20 feet at right channel limit with an increased height of 21 feet over a width of 140 feet 50 feet channelward of the left channel limit and extending within 10 feet of the right channel limit.

a strong north current across the north entrance channel; navigators should guard against this by holding up toward the south. The Outer Harbor provides a safe harbor of refuge and anchorage and is also used extensively by large lake vessels as a channel. Vessels seeking anchorage and small vessels passing along the breakwaters are cautioned against approaching them nearer than 100 feet in order to avoid striking the stone riprap.

(153) **Lackawanna Canal** extends south for 0.75 mile from the south end of the Outer Harbor. The entrance is marked by private lights. In 1977, the reported controlling depth was 26½ feet.

(154) **Union Canal** extends east for about 0.8 mile from the south end of the Outer Harbor. In 1977, the controlling depth in the dredged section was 20½ feet.

(155) The dredged section of the **Buffalo River** extends southeast and then generally east for about 5.8 miles from the north end of the Outer Harbor to the ConRail railroad bridge. The entrance to the river is marked by lights and buoys. The river is subject to extensive shoaling. Navigation is possible above the dredged channel to Bailey Avenue Bridge, however, submerged rocks above the bridge render navigation very hazardous.

(156) From about 1,000 feet downstream from the junction of the Buffalo River and Buffalo Ship Canal upstream for about 1 mile, the river bottom is soft clay and mud overlying rock to a depth ranging from 1 to several feet. Vessels grounding in this portion of the river are seldom damaged by contact with the bottom. Above this point for about 1 mile, the channel is cut through solid rock.

(157) **Buffalo Ship Canal** extends southeast for about 1.4 miles from the inner end of Buffalo River Entrance Channel.

(158) **Black Rock Canal Entrance Channel**, marked by lights and buoys, extends north from the north end of the Outer Harbor. Black Rock Canal is the navigable channel of the upper Niagara River as far north as Tonawanda and is discussed more fully under Niagara River. The Lake Erie west terminus of the Erie branch of the New York State Canal System is at Tonawanda.

(159)

Anchorages

(160) The Outer Harbor is all good anchorage ground, except that the bottom is very soft clay south of the middle gap of the breakwaters. There are about 22 large mooring rings on the breakwater adjoining the North Entrance

(178.0010)

CLIMATOLOGICAL DATA – BUFFALO, NEW YORK (42°56'N, 78°44'W) 705 feet (215 m)

WEATHER ELEMENTS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YEAR	YEARS OF RECORD
SEA LEVEL PRESSURE (station pressure reduced to sea level)														
Mean (millibars)	1017.6	1017.7	1016.2	1015.2	1015.5	1015.0	1015.8	1016.8	1018.2	1018.4	1017.1	1017.9	1016.8	50
TEMPERATURE (°F)														
Mean	24.9	25.5	33.9	45.8	56.7	66.4	71.4	69.6	62.2	52.1	40.9	29.7	48.4	50
Mean daily maximum	31.2	32.5	41.6	54.8	66.3	76.0	80.6	78.7	71.2	60.5	47.4	35.8	56.5	50
Mean daily minimum	18.0	18.1	25.8	36.4	46.6	56.4	61.7	60.0	52.7	43.1	33.8	23.2	39.8	50
Extreme (highest)	72	65	79	94	90	96	97	99	98	87	80	74	99	50
Extreme (lowest)	-16	-20	-7	12	26	36	46	38	23	20	7	-10	-20	50
RELATIVE HUMIDITY														
Average percentage	50.8	52.1	36.5	27.4	29.6	24.9	32.8	43.1	57.3	59.4	45.5	54.2	42.7	50
CLOUD COVER														
Percent of time clear	5.4	7.3	13.3	15.0	16.1	15.6	15.6	17.3	18.1	18.5	6.7	5.0	12.9	50
Percent of time scattered	13.0	15.1	15.9	17.9	22.1	28.2	30.7	26.9	24.8	20.1	14.2	13.1	20.2	50
Percent of time broken	14.3	16.3	15.9	16.8	19.9	22.9	24.6	24.4	21.9	19.6	17.3	15.1	19.1	50
Percent of time overcast	67.3	61.3	54.8	50.3	42.0	33.3	29.1	31.3	35.1	41.8	61.8	66.8	47.8	50
PRECIPITATION (inches)														
Mean amount	2.9	2.4	2.8	3.0	3.1	3.0	3.0	3.8	3.3	3.0	3.9	3.4	38.2	50
Greatest amount	6.8	5.9	5.9	5.9	7.2	8.3	8.9	10.6	8.9	9.1	9.7	8.7	53.5	50
Least amount	1.0	0.8	1.2	1.2	1.2	0.1	0.9	1.1	0.7	0.3	1.5	1.6	28.5	50
Maximum amount (24 hrs)	1.8	2.0	2.0	1.6	3.4	5.0	3.3	3.8	4.8	2.5	2.1	1.7	5.0	50
Mean number of days	28	23	23	19	18	15	15	15	15	17	22	26	236	50
SNOW														
Mean amount	23.4	17.9	11.7	3.3	0.2	0.0	0.0	0.0	T	0.2	11.3	22.4	90.4	50
Greatest amount	68.3	54.2	29.3	15.0	7.9	0.0	0.0	0.0	T	3.1	31.3	68.4	175.6	50
Least amount	5.4	3.1	T	T	0.0	0.0	0.0	0.0	0.0	0.0	T	4.3	30.8	50
Maximum amount (24 hrs)	18.3	18.4	15.1	6.4	7.9	0.0	0.0	0.0	T	2.8	19.0	33.9	19.0	50
Mean number of days	25	21	17	7	1	0	0	0	Miss	2	11	22	106	50
WIND														
Percentage with gales	0.52	0.14	0.35	0.17	0.05	0.03	0.01	0.02	0.01	0.06	0.16	0.17	0.19	50
Mean wind speed (knots)	12.1	11.5	11.1	10.7	9.7	9.3	8.9	8.2	8.6	9.4	10.7	11.2	10.1	50
Direction (percentage of observations)														
North	2.8	3.4	3.4	3.8	3.9	3.8	3.6	4.5	4.2	3.8	2.9	2.9	3.6	50
North Northeast	2.6	2.8	3.1	3.1	3.9	3.4	2.8	3.4	3.6	3.2	2.2	2.3	3.0	50
Northeast	4.0	4.5	6.2	5.2	5.9	4.8	3.7	5.0	5.2	4.4	3.8	3.8	4.7	50
East Northeast	4.5	5.7	6.7	6.0	5.4	3.9	2.8	3.6	4.1	4.0	4.3	4.2	4.6	50
East	3.5	4.0	4.8	4.4	4.0	3.0	3.0	3.3	3.5	3.8	3.6	4.2	3.7	50
East Southeast	2.3	2.5	2.9	3.1	3.1	2.2	2.1	3.2	3.3	3.1	3.1	2.9	2.8	50
Southeast	2.9	3.1	3.5	3.7	3.9	4.0	4.0	5.7	6.2	5.8	4.6	3.8	4.3	50
South Southeast	3.7	3.4	4.0	4.2	4.6	5.1	4.9	6.0	7.0	6.2	5.8	5.0	5.0	50
South	6.9	6.1	5.6	6.0	7.8	9.3	9.8	10.1	10.8	10.8	9.4	7.9	8.4	50
South Southwest	9.1	8.4	7.0	8.4	9.4	11.2	10.9	9.9	9.9	9.8	10.0	10.4	9.5	50
Southwest	11.2	13.4	14.5	17.6	18.9	18.6	18.3	14.5	11.2	11.0	9.5	8.3	13.9	50
West Southwest	15.4	15.9	13.3	14.0	13.5	14.6	15.6	12.3	10.4	9.8	11.2	11.4	13.1	50
West	14.7	11.2	8.1	5.8	4.4	4.8	5.1	5.3	5.9	8.2	12.5	14.8	8.4	50
West Northwest	8.0	6.4	6.8	4.8	3.5	3.3	3.6	3.8	4.8	6.5	8.2	8.5	5.7	50
Northwest	4.5	4.4	5.2	4.9	3.4	3.3	4.2	4.1	4.6	4.3	4.7	4.2	4.3	50
North Northwest	2.8	3.5	3.7	3.7	3.3	3.2	3.8	3.6	3.6	3.8	3.3	3.7	3.5	50
Calm	1.1	1.5	1.4	1.5	1.5	1.7	2.1	2.2	1.9	1.6	1.0	1.4	1.6	50
Direction (mean speed, knots)														
North	8.3	8.6	7.7	8.0	7.9	7.6	6.8	7.1	7.1	7.4	6.9	7.8	7.6	50
North Northeast	8.6	9.3	8.4	8.9	8.2	7.5	7.9	7.7	7.6	7.5	7.6	8.5	8.1	50
Northeast	9.2	9.3	9.8	9.6	8.9	8.1	8.1	7.5	7.8	7.8	8.2	9.1	8.7	50
East Northeast	9.7	10.0	10.1	9.9	8.8	7.8	7.0	6.8	7.3	7.7	8.6	9.1	8.8	50
East	8.1	7.9	8.7	8.6	7.7	6.4	6.4	5.9	6.2	6.7	7.5	8.0	7.4	50
East Southeast	7.0	7.2	7.8	8.4	7.0	6.4	6.1	5.9	6.1	6.3	6.9	7.0	6.8	50
Southeast	7.7	8.1	8.6	8.6	7.7	7.0	6.3	6.2	6.8	7.1	7.8	7.5	7.3	50
South Southeast	8.6	9.1	9.7	9.4	7.8	7.2	6.4	6.4	7.1	7.7	8.8	8.4	7.9	50
South	10.2	8.7	9.4	8.6	7.9	7.1	6.8	6.6	7.9	8.3	9.7	9.9	8.3	50
South Southwest	12.4	11.1	10.9	10.2	9.1	9.0	8.6	8.2	9.6	10.3	11.9	12.5	10.3	50
Southwest	15.3	13.7	13.5	12.9	11.9	11.7	11.4	10.9	11.0	12.6	13.8	15.1	12.6	50
West Southwest	16.1	15.0	14.2	13.8	12.9	12.4	11.7	11.2	11.9	12.4	14.4	14.4	13.4	50
West	13.9	13.9	12.9	11.2	9.9	9.5	9.3	9.1	9.7	11.1	12.8	13.3	12.1	50
West Northwest	12.4	12.5	12.3	12.0	10.6	9.8	9.2	9.1	9.7	10.2	11.3	12.2	11.3	50
Northwest	11.1	11.0	11.3	11.7	10.6	10.1	9.3	8.9	9.7	10.2	10.6	11.7	10.6	50
North Northwest	9.9	10.1	9.8	9.8	9.2	9.1	8.7	8.0	8.5	9.1	9.7	10.0	9.3	50
VISIBILITY														
Mean number of days with fog	12	12	14	13	14	13	13	15	13	13	13	13	158	50

T = trace (not measurable) amount of precipitation
Miss or blank is a missing value

Channel and 25 on the breakwater adjoining the South Entrance Channel. Vessels are permitted to moor to the breakwaters with manila or synthetic lines, but not with wire rope or chains. Vessels are requested not to anchor north of Berthing Area 11. Vessels not longer than 550 feet will be permitted to anchor in Berthing Areas 11 through 17. However, no anchorage will be permitted in Berthing Areas 11 through 24 until vessel traffic to the Niagara Frontier Transportation Authority pier at the foot of Michigan Avenue hasouth ended for the navigation season, and then only by permission from the District Engineer, U.S. Army Corps of Engineers, Buffalo, NY. Anchorage will be permitted in berthing areas south of Berthing Area 24 with no restrictions as to length of vessel. The berthing areas are all marked by large orange numbers painted on the harbor face of the breakwaters.

(161) An explosives anchorage is in Outer Harbor. (See **33 CFR 110.1** and **110.208**, Chapter 2, for limits and regulations.)

(162) A special anchorage is in the small-craft basin on the east side of Outer Harbor. (See **33 CFR 110.1** and **110.84b**, Chapter 2, for limits and regulations.)

(163)

Dangers

(164) Numerous unmarked detached shoal spots with depths less than 30 feet are in the east end of Lake Erie, in the approaches to Buffalo Harbor and the Niagara River. **Waverly Shoal,** with a least depth of 10 feet, is 1.9 miles west-southwest of Buffalo Harbor Light. Depths of 18 feet extend about 0.4 mile north and 1 mile south from the shallowest part of the shoal.

(165) Unmarked 20-foot shoals are 1.4 and 2.6 miles southwest of Buffalo Harbor Light.

(166) An artificial reef is 1.9 miles south-southeast of Buffalo Harbor Light in about 42°50'41"N., 78°53'27"W.

(168)

Fluctuations of water level

(169) The water level of Lake Erie at Buffalo is frequently affected, usually for periods of less than 12 hours, by strong southwest or northeast winds. It is reported that these winds may raise or lower water levels by as much as 6 feet. The record fluctuations recorded are 10½ feet above and 4½ feet below Low Water Datum.

(170) The records of the monthly mean stages at Buffalo show that the periods of lowest water during the navigation season are in the spring and fall, the latter being the busiest time of the year in the harbor, when the necessity for deep water is greatest.

(171) Water level information for the Buffalo area is available on the internet at *tidesandcurrents.noaa.gov*.

(172)

Currents

(173) There is very little current in the outer harbor except during sudden fluctuations of water level, which may cause considerable current, especially in the entrance channels.

(174) The currents in the river are reported to reach velocities of 3 to 5 mph, changing direction and velocity abreast Buffalo Ship Canal. Rapid fluctuations in Lake Erie produce quite strong currents in the river within 1 mile of the mouth, inflowing or outflowing as the case may be. Heavy rainfalls and spring freshets are attended by strong outflowing currents due to rapid rises of the river and the consequent discharge of flood water. These conditions cause difficulties to navigation and sometimes damage to vessels by tearing them from their moorings, but occur only two or three times each year and for only a few hours at a time. With heavy rainfalls, it is reported that currents in the river sometimes reach velocities of 6 to 10 knots.

(175)

Weather, Buffalo and vicinity

(176) Buffalo, NY, located on the extreme northeast shore of Lake Erie and in the western part of the state, averages about four days each year with maximum temperatures in excess of 90°F (32.2°C). July is the warmest month with an average high of 81°F (27.2°C) and an average minimum of 62°F (16.7°C). January is the coolest month with an average high of 31°F (-1°C) and an average minimum of 18°F (-7.8°C). The highest temperature on record for Buffalo is 99°F (37.2°C) recorded in August 1948; the lowest temperature on record is -20°F (-28.9°C) recorded in February 1961. About 131 days each year sees temperatures below 32°F (0°C) and an average 11 days each year records temperatures below 5°F (-15°C). Every month has seen temperatures below 50°F (10°C) and every month except June, July, and August has recorded temperatures below freezing (0 °C).

(177) The average annual precipitation for Buffalo is 38.3 inches (972.83 mm) which is fairly evenly distributed throughout the year. Precipitation falls on about 236 days each year. The wettest month is November with 3.9 inches (99.1 mm) and the driest, February, averages only 2.5 inches (64 mm). An average of 30 thunderstorm days occur each year with July and August being the most likely months. Snow falls on about 106 days each year and averages about 90 inches (2286 mm) each year. December and January each average greater than 20 inches (508 mm) per year while February averages 18 inches (457 mm). Eighteen inch (457 mm) snowfalls in a 24-hour period have occurred in each month November through February and 38 inches (965 mm) fell in one 24-hour period during December 1995. About 19 days each year has a snowfall total greater than 1.5 inches (38 mm) and snow has fallen in every month except June, July, and August. Fog is present on average 158 days each year and is evenly distributed throughout the year with a slight maximum in the spring and again in August.

(178) The prevailing wind direction in Buffalo is the southwest, off the lake. January is the windiest month and a maximum gust of 71 knots occurred in February 1967.

(179) <Deleted Paragraph>

(194)

Facilities in Buffalo Harbor

Name	Location	Berthing Space (feet)	Depths* (feet)	Deck Height (feet)	Storage	Purpose	Contact
Buffalo Outer Harbor							
Gateway Metroport Lackawanna Canal West Dock	42°49'33"N., 78°51'37"W.	3,900	27	7.5-12.5	Open storage (20,000 tons of limestone)	Reciept and shipment of dry bulk commodities	Gateway Trade Center Inc. P: 716–826–2890
Gateway Metroport Lackawanna Canal East Dock	42°49'35"N., 78°51'35"W.	3,975	27	12.5	Open storage (60 acres)	Reciept and shipment of dry bulk commodities	Gateway Trade Center Inc. P: 716–826–2890
Gateway Metroport Union Canal South Dock	42°49'59"N., 78°51'22"W.	778	22	10.0	Open storage (11 acres)	Reciept and shipment of dry bulk commodities	Gateway Trade Center Inc. P: 716–826–2890
Buffalo Ship Canal							
General Mills Wharf	42°52'17"N., 78°52'40"W.	1,025	22	8	4.2-million-bushel grain elevator	Receipt of grain	General Mills Inc. P: 716–857–3635/3513
Toledo Dock Exchange Buffalo Dock	42°51'51"N., 78°52'21"W.	900	22	8	Open storage (100,000 tons)	Receipt of gypsum by self-unloading vessel	Sand Products Corporation Phone: 716–856–7930
Buffalo Dock Forwarders Dock	42°51'45"N., 78°52'16"W.	1,000	22	8	• Open storage (80,000 tons of sand) • Silo storage (1,500 tons of sand)	Receipt of sand by self-unloading vessel	Buffalo Dock Forwarders P: 716–852–0411
Buffalo River							
Lafarge Corp. Buffalo Terminal Upper Wharf	42°51'43"N., 78°52'07"W.	475	20-22	10	Silo storage (22,250 tons)	Receipt cement	Lafarge Corp. P: 716–854–5791
ADM Milling Co. Standard Elevator Wharf	42°51'47"N., 78°51'55"W.	1,263	20-22	8	5-million-bushel grain elevator	Receipt of grain	ADM Milling Co. P: 716–849–7311/7391
Lake Port Buffalo	42°51'48"N., 78°51'41"W.	555	20-24	7-10	4½-million-bushel grain elevator	Receipt of grain	Lake Port Buffalo P: 716–548–2614

* The depths given above are reported. For information on the latest depths contact the port authorities or the private operators.

(180)

Ice

(181) Heavy ice forms in the river, usually in January. A narrow channel is kept open through the ice by tugs, but the ice remains in place because the east end of Lake Erie also freezes over, and the harbor entrance is usually blocked with ice from January to March or April. The ice usually goes out in the spring during a freshet in the river, and the combined effect of the then prevailing strong outflowing currents and the heavy moving ice is at times very great and may last for 2 or 3 days. During this time, the liability of damage to vessels is considerable.

(182) Heavy ice forms in the Buffalo Ship Canal in winter, usually in January. A narrow channel is kept open through the ice by tugs, but the ice remains in place, the same as in the Buffalo River. The ice drifts out on the opening of the entrance channel in March or April, or melts in place, and its breaking up in the spring is not attended with the same liability to damage as in the case of the Buffalo River.

(183)

Towage

(184) Tugs to 1,250 hp are available at Buffalo. Arrangements for tugs are made through the Great Lakes Towing Co. dispatcher in Cleveland at 800–321–3663 or on VHF-FM channels 16, 10, 12, and 18A via remote antenna. The tugs' VHF-FM channels include 16, 6, 12, 14, and 18A. At least 4 hours advance notice is requested. City regulations require that all vessels which require the opening of one or more bridges while navigating in the Buffalo River must have the assistance of one or more tugs when approaching and passing these bridges. Vessels navigating stern first are required to have a tug on the stern and a tug on the bow.

(185)

Quarantine, customs, immigration, and agricultural quarantine.

(186) (See Chapter 3, Vessel Arrival Inspections, and appendix for addresses.)

(187) **Quarantine** is enforced in accordance with the regulations of the U.S. Public Health Service. (See Public Health Service, Chapter 1.)

(188) Buffalo is a **customs port of entry.**

(189)

Coast Guard

(190) Buffalo Coast Guard Station and Sector Office are on the south side of the entrance to the Buffalo River (See Appendix A for address.)

(191)

Harbor regulations

(192) A **speed limit** of 6 mph (5.2 knots) is enforced in Buffalo Harbor except in the Outer Harbor where the speed limit is 10 mph (8.7 knots). (See **33 CFR 162.165** and **207.580**, Chapter 2, for regulations.)

(193) Local harbor regulations are established by the Corporation Counsel and enforced by the **harbormaster,** who may be reached at City Hall. Vessels shall not approach or pass any movable bridge at a speed exceeding 3 mph (2.6 knots). Copies of the regulations may be

obtained from the Corporation Counsel, City Hall, Niagara Square, Buffalo, NY 14202.

(195)

Wharves

(196) Buffalo has wharves in the Outer Harbor, Buffalo Ship Canal and in Buffalo River. See the **Buffalo Facilities table** for a list of major wharves in Buffalo Harbor. All of the facilities have direct highway connections and most have rail connections. Water is available at many of the piers and wharves.

(197)

Supplies

(198) Water, provisions, and marine supplies are available at Buffalo. Bunker fuel and diesel fuel are delivered to vessels at their berths by tank vessels. Arrangements should be made through ships' agents. Occasionally tank trucks supply vessels with bunker fuel.

(199)

Repairs

(200) There are no facilities for drydocking or hauling out large, deep-draft vessels. Two companies that have no waterfront facilities maintain shops and portable equipment for making above-the-waterline repairs and for installing equipment and machinery.

(201)

Small-craft facilities

(202) Erie Basin, close north of the mouth of the Buffalo River, is the site of the city's marina. Transient berths, gasoline, diesel fuel, water, ice, electricity, sewage pump-out facilities, marine supplies, a launching ramp, and minor engine repairs are available. In 1977, depths of 20 feet were reported in the entrance channel and alongside the berths, with 17 feet alongside the gasoline dock. The Buffalo **harbormaster** maintains an office in Erie Basin; telephone, 716–842–0452.

(203) A state park and small-craft basin are on the east side of Buffalo Outer Harbor about 2.3 miles southeast of the mouth of Buffalo River. The basin has a marina with 1,000 slips and launching ramps.

(204)

Measured course

(205) A measured mile, statute and nautical, is marked on the east face of the breakwater at the north end of the Outer Harbor.

(206)

Communications

(207) Buffalo has excellent rail and highway connections with major United States and Canadian cities. Greater Buffalo International Airport is 8 miles east-northeast of the city.

(208)

ENC - US4NY32M
Chart - 14822

(209) From **Stony Point** at the south end of Buffalo Harbor, the shoreline trends south for about 3.5 miles and is obstructed by shallow patches extending 1 mile offshore.

(210) <Deleted Paragraph>

(211) A **dumping ground** extends lakeward from the west side of Stoney Point with a reported least depth of 6 feet in 1977.

(212) About 3.5 miles south of Stony Point, the shoreline turns southwest and continues this trend, with some southerly recessions and slight irregularities, for about 210 miles to a point about 3 miles east of Huron, OH, the southernmost point on the lake. The hydrography along this entire reach is generally of a uniform character, with no shoals, other than Seneca Shoal, at any great distance offshore, and the land varies from a low character to moderate bluffs of 60 to 120 feet high. The usual routes between ports are well out in deep water, and there are no natural obstacles which make navigation especially hazardous. From the bend south of Stony Point for the first stretch of 12 miles to Sturgeon Point, there are a number of submerged and exposed cribs as much as 0.6 mile offshore.

(213) **Seneca Shoal**, about 4.4 miles southwest of Stony Point, has a least depth of 12 feet and is marked on its northwest edge by a lighted buoy.

(214)

ENCs - US6NY33M, US4NY33M, US5NY33M
Chart - 14823

(215) Between **Sturgeon Point** (42°41'24"N., 79°02'54"W.) and **Silver Creek,** about 12 miles southwest, the hydrography is less regular. west of **Big Sister Creek**, about 2 miles from Sturgeon Point, an unmarked boulder ledge with a least depth of 3 feet extends 2 miles offshore.

(216) A marina at Sturgeon Point is maintained by the town of Evans and can provide gasoline, transient berths, launching ramps, pump out facilities and a dry dock. In 2014, the controlling depth was 2 feet in the entrance to the marina basin with 1 to 3 feet available in the basin.

(217) **Cattaraugus Creek** is about 9.5 miles southwest of Sturgeon Point. A dredged entrance channel leads between two breakwaters and through the creek to a railroad bridge about 0.8 mile above the mouth. The ends of the breakwaters are marked by lights. In 2017, the controlling depth was 1½ feet in the entrance, thence half a foot to the head of the project at the railroad bridge. The channel inside the breakwaters is narrow and unmarked with numerous turns; mariners are advised to seek local knowledge before transiting the creek. Several marinas in the creek provide transient berths, gasoline, diesel fuel, water, ice, electricity, marine supplies, towing, and launching ramps. Mobile lifts to 20 tons are available for

hull and minor engine repairs. In 1977, depths of 2 to 10 feet were reported alongside the berths.

(218) Between Cattaraugus Creek and Silver Creek, a stony ledge extends 1.5 miles from shore. From Silver Creek, the shoreline trends generally southwest for 10 miles to Dunkirk, and shoal water extends about 0.8 mile offshore.

(219) **Dunkirk Harbor,** about 35 miles southwest of Buffalo Harbor, is in an indentation of the shore between **Battery Point** on the east and **Point Gratiot** on the west. The harbor serves the town of **Dunkirk, NY.**

(220) An unmarked **dumping ground** with a least reported depth of 35 feet is 1 mile northeast of Point Gratiot.

(221) **Dunkirk Light** (42°29'38"N., 79°21'14"W.), 82 feet above the water, is on Point Gratiot.

(222)

Channels

(223) The harbor is entered from Lake Erie through a dredged entrance channel northeast of Point Gratiot. The channel leads southeast between a pier on the west and a detached breakwater on the east to the harbor basin off the Municipal Pier. The pier and breakwater are marked on the channel ends by lights, and the channel limits are marked by buoys. Two small-craft harbors on the east and west sides of the Municipal Pier are protected by breakwaters; the breakwaters are marked by lights at the entrances.

(224)

Anchorages

(225) Because of the rock bottom, anchorage in the harbor is poor. The shallow water does not permit mooring to the breakwater.

(226)

Dangers

(227) Vessels entering the harbor should hold to the east to avoid the shoals along the southwest side of the channel. As there is no breakwater protection on the east side, the harbor is subject to severe wave action from east storms.

(228)

Small-craft facilities

(229) In 1977, the **harbormaster** reported that the Dunkirk Public Dock at the foot of Central Avenue was in an unsafe condition and was no longer being used by commercial vessels. Persons desiring to load or unload cargo at the dock should contact the harbormaster or the city engineer for additional information. The dock has water and electricity available for transient small craft. In 1977, depths of 5 to 8 feet were reported along the north end of the east face.

(230) Small-craft facilities southwest of the city dock provide gasoline, diesel fuel, water, sewage pump-out, marine supplies, and a launching ramp. Mobile lifts to 1½ tons are available for emergency hull and minor engine repairs.

(231) Between Gratiot Point and **Van Buren Point** (42°27'12"N., 79°25'00"W.), 4.3 miles southwest, a rocky bank with less than 20 feet of water extends 1 mile from shore. From Van Buren Point, the shoreline trends southwest for about 12 miles to Barcelona Harbor. The shore is clear to within 0.7 mile except just west of Van Buren Point where depths to 19 feet extend 1.2 miles off.

(232) **Barcelona Harbor**, just east of the mouth of **Chautaugua Creek,** is about 17 miles southwest of Dunkirk. Although it is not protected from east winds or strong winds from any direction, it is sometimes used as a harbor of refuge by light-draft vessels. A large white building with a red roof is prominent on the west side of the harbor entrance.

(233) The harbor is entered from Lake Erie through a dredged entrance channel between two converging breakwaters to a harbor basin just inside. A light marks the west breakwater and the outer end of the east breakwater.

(234) An unmarked channel leads from the harbor basin southeast to the city dock and launching ramps. A marina on the southwest side of the harbor provides transient berths, gasoline, diesel fuel, water, ice, electricity, and marine supplies. Mobile lifts to 9 tons are available for hull and gasoline engine repairs. In 1977, depths of 4 feet were reported alongside the berths.

(235)

ENCs - US6NY33M, US4NY33M, US5NY33M, US-4PA21M, US5PA21M, US4PA20M
Charts - 14823, 14824, 14828

(236) Erie Harbor is about 28 miles southwest of Barcelona. The intermediate shore has no shoals beyond a distance of about 0.7 mile. The **State boundary** between New York and Pennsylvania is about 10 miles southwest of Barcelona.

(237)

ENCs - US4PA21M, US5PA21M, US4PA20M, US-5PA22M
Charts - 14824, 14828, 14835

(238) **Presque Isle** (42°10'N., 80°06'W.) is an irregularly shaped peninsula forming nearly landlocked Erie Harbor. The peninsula is connected to the mainland by a narrow neck at the west end and broadens as it curves around to the northeast and east. The entrance to Erie Harbor is on the south side of the east end of the peninsula. Presque Isle State Park is on the peninsula. **Presque Isle Light** (42°09'57"N., 80°06'56"W.), 73 feet above the water, is shown from a square tower on the northwest shore of the peninsula. Numerous shore protection structures extend lakeward from the lakeside of the peninsula. Small-craft operators are cautioned to keep 500 feet offshore in the vicinity of these structures.

(239) **Gull Point**, the eastern end of Presque Isle extends further eastward each year due to the shift of sand along the length of the peninsula. This annual eastward shift is typically greatest during the winter when Lake Erie does

(255.0010)

CLIMATOLOGICAL DATA – ERIE, PENNSYLVANIA (42°06'N, 80°11'W) 732 feet (223 m)

WEATHER ELEMENTS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YEAR	YEARS OF RECORD
SEA LEVEL PRESSURE (station pressure reduced to sea level)														
Mean (millibars)	1018.4	1018.2	1016.4	1015.3	1015.6	1014.9	1016.0	1016.9	1018.1	1018.7	1017.2	1018.4	1017.0	48
TEMPERATURE (°F)														
Mean	26.4	26.7	34.9	45.9	56.3	66.2	70.8	69.5	63.1	52.8	42.3	31.7	49.1	43
Mean daily maximum	32.8	33.9	42.6	54.5	65.5	75.1	79.3	77.9	71.3	60.7	48.6	37.3	56.8	43
Mean daily minimum	19.6	19.0	26.7	36.8	46.7	56.7	61.8	60.7	54.3	44.5	35.6	25.5	40.8	43
Extreme (highest)	69	66	81	89	90	100	99	94	93	88	81	75	100	43
Extreme (lowest)	-18	-17	-10	12	26	32	44	37	33	24	7	-6	-18	43
RELATIVE HUMIDITY														
Average percentage	59.0	56.8	38.9	27.9	31.1	24.3	34.7	44.0	56.3	62.0	47.5	59.0	45.1	48
CLOUD COVER														
Percent of time clear	7.1	10.8	14.9	17.5	20.2	20.7	22.1	22.1	20.0	20.7	9.1	6.6	16.0	48
Percent of time scattered	8.3	10.9	13.8	15.4	19.7	24.8	27.9	26.1	22.2	17.2	10.9	6.9	17.1	48
Percent of time broken	12.0	13.9	14.2	17.1	19.8	22.5	23.0	22.1	23.4	19.6	15.5	11.3	17.9	48
Percent of time overcast	72.6	64.5	57.1	50.0	40.4	32.0	27.0	29.8	34.3	42.5	64.5	75.1	49.0	48
PRECIPITATION (inches)														
Mean amount	2.4	2.2	3.0	3.3	3.3	3.7	3.3	3.8	4.0	3.6	3.9	3.3	40.5	43
Greatest amount	5.4	5.7	6.7	7.1	7.8	7.7	7.7	11.0	10.6	9.8	10.4	6.9	61.7	43
Least amount	0.8	0.5	0.6	1.6	1.0	0.7	0.6	1.0	1.3	0.4	1.5	1.3	28.1	43
Maximum amount (24 hrs)	1.2	2.1	1.9	1.9	2.2	2.6	2.7	3.2	4.6	4.3	2.2	2.0	4.6	43
Mean number of days	26	22	22	19	16	15	13	14	14	16	21	25	223	42
SNOW														
Mean amount	22.2	16.1	10.6	2.3	0.0	0.0	0.0	0.0	0.0	0.4	9.7	21.9	83.1	43
Greatest amount	62.4	32.1	27.3	10.2	0.4	0.0	0.0	0.0	0.0	4.0	36.3	66.9	146.7	43
Least amount	6.0	4.6	0.7	T	0.0	0.0	0.0	0.0	0.0	0.0	T	1.0	39.2	43
Maximum amount (24 hrs)	12.9	12.2	11.5	6.6	0.4	0.0	0.0	0.0	0.0	3.0	17.4	14.3	17.4	43
Mean number of days	22	19	14	5	Miss	0	0	0	0	2	10	19	91	42
WIND														
Percentage with gales	0.06	0.07	0.08	0.01	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.09	0.05	48
Mean wind speed (knots)	11.4	10.4	10.4	9.9	8.8	8.3	7.8	7.7	8.6	9.7	11.3	11.5	9.6	48
Direction (percentage of observations)														
North	2.7	3.4	3.5	3.6	4.2	4.2	4.8	5.1	4.8	4.7	2.9	3.1	3.9	48
North Northeast	2.5	3.8	4.7	4.3	4.9	4.0	4.1	4.6	4.7	3.3	2.3	2.1	3.8	48
Northeast	4.0	6.6	8.8	7.3	7.9	5.7	4.0	4.8	4.3	4.1	2.8	2.6	5.2	48
East Northeast	3.7	4.5	5.6	4.8	4.3	2.8	2.5	2.9	3.2	3.2	2.8	3.5	3.6	48
East	1.4	1.9	1.7	2.1	1.8	1.3	1.4	1.7	2.2	2.0	2.0	1.9	1.8	48
East Southeast	1.2	1.1	1.6	1.5	1.2	1.1	1.2	1.6	1.9	1.6	1.5	1.2	1.4	48
Southeast	2.4	2.5	2.7	3.2	2.7	2.2	2.0	2.3	3.2	2.8	3.1	2.8	2.7	48
South Southeast	7.3	6.6	8.1	7.6	7.5	7.4	6.8	7.9	11.2	11.3	10.4	9.5	8.5	48
South	12.0	11.3	9.9	10.6	13.6	16.5	17.9	18.6	19.1	19.2	15.5	14.0	14.9	48
South Southwest	13.5	9.7	7.4	8.1	8.9	11.7	12.3	11.9	12.1	13.1	15.2	15.4	11.6	48
Southwest	11.9	8.7	6.4	6.8	6.2	7.3	7.1	7.0	6.0	7.6	11.1	12.0	8.2	48
West Southwest	11.0	11.5	11.2	11.2	9.5	8.3	7.1	5.4	4.1	4.3	6.3	7.2	8.1	48
West	9.1	9.5	8.9	9.3	8.2	7.6	7.2	5.8	4.6	4.7	5.8	6.6	7.3	48
West Northwest	8.2	7.5	8.0	7.6	5.9	6.7	7.1	6.1	5.7	5.4	6.8	8.1	6.9	48
Northwest	3.8	4.3	4.5	4.7	4.2	4.3	5.1	4.9	4.6	4.2	4.8	4.1	4.5	48
North Northwest	2.9	3.3	3.2	3.5	3.7	3.9	4.4	4.9	3.9	4.7	4.4	3.9	3.9	48
Calm	2.7	3.8	3.8	4.0	5.4	5.2	5.1	4.8	4.5	3.7	2.5	2.0	4.0	48
Direction (mean speed, knots)														
North	8.3	8.0	7.9	7.6	7.4	7.1	7.7	7.9	8.3	9.0	8.9	9.7	8.1	48
North Northeast	10.4	9.7	10.4	9.8	9.4	9.0	9.1	9.4	9.5	9.6	9.9	10.1	9.7	48
Northeast	10.7	11.0	11.1	11.1	10.6	10.5	9.6	9.6	10.2	10.2	10.7	10.3	10.6	48
East Northeast	9.5	9.3	8.9	8.7	8.2	8.1	7.7	7.6	7.8	8.4	9.7	9.2	8.6	48
East	5.7	6.0	6.0	6.3	5.3	5.6	5.2	5.0	5.3	5.5	5.8	6.1	5.7	48
East Southeast	6.4	7.0	8.0	7.9	6.8	5.6	5.9	5.5	6.0	5.5	7.3	6.6	6.5	48
Southeast	10.2	11.8	11.8	11.8	9.9	8.2	7.3	7.6	8.0	9.5	10.7	10.2	9.8	48
South Southeast	13.0	12.8	13.4	12.3	10.9	9.3	8.5	8.7	9.8	11.1	12.5	12.7	11.3	48
South	11.5	10.7	10.6	9.5	8.4	8.2	7.2	7.3	8.4	9.4	11.1	11.6	9.3	48
South Southwest	12.3	11.6	11.6	10.4	9.3	8.8	8.1	7.5	8.9	10.5	11.9	12.5	10.3	48
Southwest	12.0	10.7	10.6	9.8	9.1	8.9	8.3	8.3	9.4	10.8	12.1	12.0	10.5	48
West Southwest	12.6	11.8	11.6	11.6	10.6	10.2	9.1	8.6	10.0	11.1	12.2	12.2	11.2	48
West	12.4	11.4	11.4	11.4	10.0	9.4	9.3	9.0	9.7	10.9	12.3	12.7	10.9	48
West Northwest	12.4	11.4	11.2	10.7	9.1	8.8	9.0	9.0	10.0	11.7	13.0	13.1	10.9	48
Northwest	11.8	10.0	10.4	9.9	8.2	8.2	8.4	8.6	9.8	11.7	13.1	12.8	10.2	48
North Northwest	10.5	8.9	9.3	9.0	7.7	7.4	8.2	8.2	9.3	10.7	11.8	11.7	9.4	48
VISIBILITY														
Mean number of days with fog	12	12	14	12	12	11	10	11	11	10	12	13	140	42

T = trace (not measurable) amount of precipitation
Miss or blank is a missing value

not freeze and westerly gales cause increased erosion of the beaches on Presque Isle. Mariners are warned that the depths shoal very quickly upon approaching to within ¼ mile of the eastern end of Presque Isle.

(240) **Erie Harbor**, about 78 miles southwest of Buffalo, is in **Presque Isle Bay,** enclosed from the lake by Presque Isle. The bay opens to the east and is about 4.5 miles long and 1.5 miles wide. Erie Harbor, serving the city of **Erie, PA** is in the southeast part of the bay.

(241) Principal commerce at the port is in limestone, sand, salt, petroleum products, coke, steel products, pig iron, other alloys, gravel, clay, and general cargo in the domestic trade.

(242)

Prominent features

(243) The stacks at the paper plant 1 mile southeast of Erie Harbor Pierhead Light and the lighted stack 2.2 miles east-southeast of the light are prominent.

(244) **Erie Harbor Pierhead Light** (42°09'22"N., 80°04'17"W.), 42 feet above the water, is shown from a black and white horizontally banded square tower on the outer end of the north entrance pier.

(245)

Channels

(246) A Federal project provides for a dredged entrance channel leading southwest from deep water in Lake Erie between two parallel piers to a harbor basin and three adjacent turning basins in Presque Isle Bay. The north pier is marked by lights on the outer and inner ends and the south pier is marked by a light on the outer end and by two lights near its midlength which form a **235.3°** range. The channel limits are marked by lighted and unlighted buoys. The Federal project depths are 29 feet in the entrance channel, 28 feet in Harbor Basin, 27 feet in Approach Turning Basin, 21 feet in Erie Turning Basin, and 18 feet in Harbor Turning Basin. (See Notice to Mariners and latest edition of charts for controlling depths.)

(247) **Misery Bay** is an indentation in the south side of Presque Isle north of Erie Harbor Entrance Channel. The bay has depths of 5 to 10 feet except for shoaling along the edges. A rock which bares is on the east side of the bay on the south side of the channel leading to **Horse Shoe Pond.**

(248)

Anchorages

(249) Good anchorage is in the center of Presque Isle Bay in depths of 12 to 22 feet, mud bottom. Local regulations prohibit vessels from anchoring in any channel or mooring to channel markers and buoys. Vessels over 100 feet long or over 50 tons are prohibited from anchoring within 500 feet of the city water intake or sewer pipelines. The city water intake extends northwest across Presque Isle Bay and is marked by buoys.

(250)

Dangers

(251) An unmarked submerged pier, covered 1 to 2 feet, extends about 2,000 feet from shore 0.8 mile south-southeast of Erie Harbor Pierhead Light.

(252)

Weather, Erie and vicinity

(253) Erie, PA, located on the southeast shore of Lake Erie and in extreme northwestern Pennsylvania, averages about three days each year with maximum temperatures in excess of 90°F (32.2°C). July is the warmest month with an average high of 79°F (26.1°C) and an average minimum of 62°F (16.7°C). January is the coolest month with an average high of 33°F (0.6°C) and an average minimum of 20°F (-6.7°C). The highest temperature on record for Buffalo is 100°F (37.8°C) recorded in June 1988 and the lowest temperature on record is -18°F (-27.8°C) recorded in January 1994. About 124 days each year sees temperatures below 32°F (0°C) and an average nine days each year records temperatures below 5°F (-15°C). Every month has seen temperatures below 50°F (10°C) and every month except July, August, and September has recorded temperatures at or below freezing (0°C).

(254) The average annual precipitation for Erie is 40.5 inches (1029 mm) which is fairly evenly distributed throughout the year. Precipitation falls on about 223 days each year. The wettest month is September with 4.1 inches (104 mm) and the driest, February, averages only 2.3 inches (58 mm). An average of 36 thunderstorm days occur each year with July and August being the most likely months. Snow falls on about 91 days each year and averages about 83 inches (2108 mm) each year. December and January each average greater than 20 inches (508 mm) per year while February averages 16 inches (406 mm). One foot or greater (&gt_1;305 mm) snowfalls in a 24-hour period have occurred in each month November through March and 23 inches (584 mm) fell in one 24-hour period during November 1956. About 17 days each year has a snowfall total greater than 1.5 inches (38 mm) and snow has fallen in every month except June, July, August, and September. Fog is present on average 140 days each year and is evenly distributed throughout the year with a slight maximum in March.

(255) The prevailing wind direction in Erie is south from May through November, south-southwest in December and January, and west-southwest from February through April. The winter season is the windiest with each month, December through April, averaging 12 knots. The highest gust on record was a west wind of 68 knots recorded in January 1978.

(256) <Deleted Paragraph>

(257)

Towage

(258) Tugs for Erie are available from Conneaut or Cleveland. (See Towage under Conneaut and Cleveland.)

(259)

Quarantine, customs, immigration, and agricultural quarantine

(260) (See Chapter 3, Vessel Arrival Inspections, and appendix for addresses.)

(261) **Quarantine** is enforced in accordance with the regulations of the U.S. Public Health Service. (See Public Health Service, Chapter 1.)

(262) Erie is a **customs port of entry.**

(263)

Coast Guard

(264) Erie Coast Guard Station is on the north side of the entrance channel.

(265)

Harbor Regulations

(266) **Harbor Regulations** are established by the Erie-Western Pennsylvania Port Authority and enforced by the **harbormaster.** A **speed limit** of 3 mph (2.6 knots) is enforced in the East and West Canal Basins and within 300 feet of the shoreline, and 5 mph (4.4 knots) elsewhere in the harbor. Copies of the regulations may be obtained from the Port Authority Office, 17 W. Dobins Landing, Erie, PA 16501, telephone 814–455–7557.

(267)

Wharves

(268) The piers and wharves of Erie Harbor are along the south side of Presque Isle Bay; only the deep-draft facilities are described. The alongside depths for the facilities described are reported depths; for information on the latest depths, contact the operator. All the facilities described have highway and rail connections. Water and electrical shore-power connections are available at some of the piers and wharves.

(269) General cargo at the port is usually handled by ship's tackle; special handling equipment, if available, is mentioned in the description of the particular facility. Cranes to 300 tons are available at the Erie International Marine Terminal.

(270) **Erie International Marine Terminal, Berths No. 1, 2, and 3:** (42°08'58"N., 80°04'57"W.); 1,508 feet of berthing space; 23 to 26 feet alongside; deck height, 8.4 feet; 95,300 square feet covered storage; 22 acres open storage; 300-ton fixed crane; one 160-ton, and one 230-ton crawler cranes; receipt and shipment of miscellaneous dry bulk commodities, machinery, steel products, and locomotives; owned by Erie-Western Pennsylvania Port Authority and operated by Mountfort Terminal, Ltd.

(271) **Erie Sand and Gravel Company Dock:** (42°08'25"N., 80°04'58"W.); 1,220 feet of berthing space; 24 to 27 feet alongside; deck height, 7.5 feet; 12 acres of open storage; one 160-ton crawler crane; receipt of salt and sand; owned by Erie-Western Pennsylvania Port Authority and operated by Erie Sand and Gravel Co.

(272)

Supplies

(273) By special arrangement, local dealers make tank truck deliveries of bunker fuel to vessels at the berths. Diesel fuel, marine supplies, and provisions are available at Erie.

(274)

Repairs

(275) Donjon Shipbuilding and Repair operates a large drydock in the southeast part of the harbor (42°08'21"N., 80°05'02"W.). The drydock can handle 1,000-foot Great Lakes self-unloading vessels and is 1,250 feet long, 120 feet wide and has a depth of 22 feet over the sill. The shipyard has more than 200,000 square feet of production area including fully enclosed fabrication and assembly buildings and 4,000 feet of pier space.

(276)

Small-craft facilities

(277) Numerous marinas and boatyards in **Canal Basin** on the south side of Erie Harbor provide transient berths, gasoline, diesel fuel, water, ice, electricity, sewage pump-out, and marine supplies. Vertical boat lifts to 40 tons and a 40-ton marine railway are available for hull, engine, and electronic repairs. In 1990, depths of 3 to 12 feet were alongside the gasoline docks.

(278) Presque Isle State Park Marina is in a dredged basin on the northwest side of Presque Isle Bay. The entrance to the basin is marked by private lights and a **339°45'** lighted range. In 2007, depths of 5 feet were available in the entrance channel; thence in 1977, depths of 8 feet were reported in the basin except for an isolated 6-foot spot in the east part, and 8 feet alongside the berths. Gasoline and a launching ramp are available. Mobile lifts to 10 tons are available for emergency propellor and minor repairs.

(279) A municipal marina, protected by breakwaters, is south of the Erie Harbor entrance channel. The marina entrance is marked by private lights.

(280)

Communications

(281) Erie is connected by air, rail, and highway to other major United States and Canadian cities. Passenger ferries operate between the Erie City Dock and Presque Isle State Park (42°08'52"N., 80°07'47"W.) near the waterworks and setting basins.

(282)

ENCs - US4PA21M, US5PA21M, US4PA20M
Charts - 14824, 14828

(283) From the neck of Presque Isle, the shoreline extends about 23 miles southwest to Conneaut Harbor. The shore in this stretch has the appearance of low wooded hills with interspersed communities. Deep water is about 0.8 mile offshore.

(284) The **State boundary** between Pennsylvania and Ohio is about 1.5 miles east of Conneaut.

(285) **Conneaut Harbor**, serving **Conneaut, OH,** is about 107 miles southwest of Buffalo and about 73 miles northeast of Cleveland. It comprises an outer harbor sheltered by breakwaters and an inner harbor in the lower part of the **Conneaut River.**

(286) A large unmarked **dumping ground** with a least depth of 41 feet in 1976 is 5 miles northwest of the harbor entrance.

(287)

Prominent features

(288) Green water tanks 1.7 and 2.8 miles south-southwest of the harbor are prominent.

(289) **Conneaut Harbor West Breakwater Light** (41°58'48"N., 80°33'27"W.), 80 feet above the water, is shown from a square pyramidal tower on the outer end of the breakwater.

(290)

Channels

(291) The harbor is entered from natural deep water in Lake Erie between converging breakwaters to an outer harbor channel inside the breakwaters. A dredged channel leads from the southeast end of the outer harbor upstream in Conneaut River for about 0.4 mile to the wharves on either side of the river. Lights mark the outer ends of the breakwaters and the piers at the river mouth. A Federal project provides for depths of 28 feet in the outer harbor channel and 22 feet in an outer harbor mooring area just west of the outer harbor channel, thence 27 feet in the river channel. (See Notice to Mariners and latest edition of charts for controlling depths.)

(292)

Anchorages

(293) Vessels are reported to anchor west of the west breakwater in 28 to 38 feet, but the holding ground is poor in shale bottom.

(294)

Dangers

(295) Vessels approaching the harbor from the east are cautioned to not mistake the lights on the piers at the river mouth for the breakwater lights.

(296)

Bridges

(297) An overhead cable crossing the southeast side of the privately dredged turning basin in the river has a clearance of 124 feet. An inoperative swing bridge with a clearance of 3 feet crosses the Conneaut River just above this cable. An overhead cable with a clearance of 122 feet crosses the entrance to the slip that extends south from the privately dredged turning basin.

(298)

Towage

(299) Tugs to 1,250 hp are available in Conneaut Harbor. Arrangements for tugs are made through the Great Lakes Towing Co. dispatcher in Cleveland at 800–321–3663 or on VHF-FM channels 16, 10, 12, and 18A via remote antenna. The tugs' VHF-FM channels include 16, 6, 12, 14, and 18A. At least 12 hours advance notice is requested.

(300)

Quarantine, customs, immigration, and agricultural quarantine

(301) (See Chapter 3, Vessel Arrival Inspections, and appendix for addresses.)

(302) **Quarantine** is enforced in accordance with the regulations of the U.S. Public Health Service. (See Public Health Service, Chapter 1.)

(303) Ashtabula/Conneaut is a **customs port of entry.**

(304)

Harbor regulations

(305) A **speed limit** of 6 mph (5.2 knots) is enforced in the harbor except in the outer harbor where the speed limit is 10 mph (8.7 knots). (See **33 CFR 162.160** and **207.570**, Chapter 2, for regulations.)

(306)

Wharves

(307) The deep-draft facilities at Conneaut Harbor are in the inner harbor inside the mouth of the Conneaut River. The alongside depths for the facilities described are reported depths; for information on the latest depths, contact the operator. All the facilities described have rail connections and all but the Pittsburgh and Conneaut Dock Co., Dock No. 4, have highway connections. All the described facilities have water and electrical shore-power connections.

(308) **Pittsburgh and Conneaut Dock Co., Dock No. 1 Extension:** (41°58'12"N., 80°32'58"W.); 1,974-foot face; 22 to 27 feet alongside; deck height, 8½ feet; open storage for 600,000 tons of limestone; two front-end loaders; receipt of limestone; owned by Bessemer and Lake Erie Railroad Co. and operated by the Pittsburgh & Conneaut Dock Co.

(309) **Pittsburgh and Conneaut Dock Co., Dock No. 3**: east side of slip south of the turning basin; 1,250-foot face; 27 to 28 feet alongside; deck height, 8½ feet; one fixed coal loading tower, capacity 7,000 tons per hour; one slewing coal loader, capacity 4,000 tons per hour; conveyor system for 3½-million-ton open storage area; shipment of coal; occasional bunkering of vessels; owned by Bessemer and Lake Erie Railroad Co. and operated by The Pittsburgh & Conneaut Dock Co.

(310) **Pittsburgh and Conneaut Dock Co., Dock No. 4**: east side of river opposite Dock No. 1 extension; 2,078 feet of berthing space; 27 to 28 feet alongside; deck height, 8½ feet; five 17-ton hulett-type ore unloaders, capacity 875 tons per hour each; open storage for 3½ million tons of ore; receipt of iron ore and limestone; owned and operated by Pittsburgh and Conneaut Dock Co.

(311)

Supplies

(312) Diesel oil by tank truck and some marine supplies and provisions are available at Conneaut.

(329)

(313)

Small-craft facilities

(314) The Municipal Pier, about 0.4 mile southwest of the river mouth, can provide gasoline, diesel fuel, and electricity. The Conneaut Port Authority operates a small-craft basin northeast of the Municipal Pier. The entrance to the basin is marked by private lights. In 1977, the reported controlling depth was 5 feet in the entrance with 3 to 18 feet alongside the berths. Transient berths, gasoline, diesel fuel, water, ice, electricity, marine supplies, and launching ramps are available.

(315)

Communications

(316) Conneaut has good highway and rail connections.

(317)

ENCs - US4PA21M, US5PA21M, US4PA20M, US4OH02M, US5OH40M, US5OH41M
Charts - 14824, 14828, 14825

(318) From Conneaut to Ashtabula, 13.5 miles southwest, there is deep water about 0.8 mile offshore. The shore is a series of low wooded hills with interspersed communities.

(319) Two wrecks, covered 35 feet, are 1.5 miles offshore about 3.9 miles east-northeast of the entrance to Ashtabula Harbor.

(320)

ENCs - US4OH02M, US5OH40M, US5OH41M, US-4PA20M, US6OH05M
Charts - 14825, 14828, 14836

(321) **Ashtabula Harbor** is about 119 miles southwest of Buffalo and about 59 miles northeast of Cleveland. It comprises an outer harbor, the navigable portion of the **Ashtabula River** for about 2 miles above the mouth, and two large slips opening directly into the lake under the protection of the breakwaters.

(322) The major commodities handled at the port are limestone, iron and other ores, coal and other dry bulk commodities, pig iron, iron products, raw rubber, and general cargo in the domestic trade.

(323) Two unmarked **dumping grounds,** with least reported depths of 35 feet, are 2.4 miles north and 2 miles northeast of the harbor entrance.

(324)

Prominent features

(325) The lighted stacks 1.5 miles southeast and 1.8 miles east-southeast of the harbor entrance are conspicuous. The silos on the west side of the river mouth are also prominent.

(326) **Ashtabula Harbor Light** (41°55'07"N., 80°47'46"W.), 51 feet above the water, is near the outer end of west breakwater.

(327)

Channels

(328) The harbor is entered from Lake Erie through a dredged entrance channel that leads between converging breakwaters to an outer harbor where the channel divides into east and west channels with a central turning basin. The west channel leads to the mouths of the Ashtabula River and Pinney Minnesota Slip, and continues upstream in the river for 2 miles; a turning basin is 0.3 mile below the head of the project. The east channel leads southeast to a basin off the entrance of two large slips. Lights mark the outer ends of the breakwaters and Ashtabula Light is on the west breakwater. A detached breakwater, just south of the turning basin, is mark by a light on the west end. In 2011, shoaling to 25 feet was reported in the entrance channel just off the outer end of the west breakwater in 41°55'14"N., 80°47'40"W. See Notice to Mariners and the latest edition of the chart for controlling depths.

(330) <Deleted Paragraph>

(331)

Anchorages

(332) Deep-draft vessels normally anchor about 2 miles east-northeast or west of the breakwater entrance in 35 to 45 feet, sand and mud bottom.

(333)

Bridges

(334) An overhead conveyor with a clearance of 100 feet crosses the Ashtabula River about 0.5 mile above the mouth. An overhead power cable with a clearance of 120 feet is about 0.1 mile north of the overhead conveyor. The Fifth Street bridge about 0.15 mile upstream from the conveyor has a bascule span with a clearance of 11 feet. The CSX Transportation Railroad bridge about 1.5 miles above the river mouth has a bascule span with a clearance of 11 feet. An overhead cable on the north side of the bridge has a clearance of 131 feet. (See **33 CFR 117.1** through **117.59** and **117.847**, Chapter 2, for drawbridge regulations.)

(335)

Towage

(336) Tugs to 1,400 hp are available at Ashtabula. Arrangements for tugs are made through the Great Lakes Towing Co. dispatcher in Cleveland at 800–321–3663 or on VHF-FM channels 16, 10, 12, and 18A via remote antenna. The tugs' VHF-FM channels include 16, 6, 12, 14, and 18A. At least 6 hours advance notice is requested.

(337)

Quarantine, customs, immigration, and agricultural quarantine

(338) (See Chapter 3, Vessel Arrival Inspections, and appendix for addresses.)

(339) **Quarantine** is enforced in accordance with the regulations of the U.S. Public Health Service. (See Public Health Service, Chapter 1.)

(340) Ashtabula/Conneaut is a **customs port of entry.**

(341)

Coast Guard

(342) Ashtabula Coast Guard Station is on the east side of the Ashtabula River about 0.5 mile above the mouth.

(343)

Harbor regulations

(344) A **speed limit** of 6 mph is enforced in the harbor except in the outer harbor where the speed limit is 10 mph (8.7 knots). (See **33 CFR 162.160** and **207.570**, Chapter 2, for regulations.)

(345) Local harbor regulations are established by the City Council and enforced by the **harbormaster** who may be reached at the Port Authority Office. The harbormaster controls vessel movement and berthage in the harbor. Local regulations specify a **speed limit** of 6 mph (5.2 knots) in the harbor for vessels over 100 feet long. Copies of the regulations may be obtained from Port Authority Office, 529 Prospect Road, Ashtabula, OH 44004.

(346)

Wharves

(347) **Pinney Dock and Transport Co., Ashtabula A and B Dock, Outer End** (41°54'40"N., 80°47'47"W.): 2,195 feet of berthing space with 25 feet alongside and a deck height of 7 feet; receipt of iron-ore by self-unloading vessels; owned and operated by Pinney Dock and Transport Co.

(348) **Pinney Dock and Transport Co., Ashtabula Union Dock, Outer End** (41°54'37"N., 80°47'31"W.): 1,198 feet of berthing space with 28 feet alongside and a deck height of 7 feet; receipt of iron-ore pellets by self-unloading vessels; owned and operated by Pinney Dock and Transport Co.

(349) **Pinney Dock and Transport Co., Ashtabula Dock Nos. 1 and 2** (41°54'30"N., 80°47'15"W.): 4,000 feet of berthing space with 28 feet alongside and a deck height of 8 feet; receipt of sand, potash, quartz, limestone and ore; owned and operated by Pinney Dock and Transport Co.

(350) **Pinney Dock and Transport Co., Ashtabula Dock No. 3** (41°54'32"N., 80°47'07"W.): 2,000 feet of berthing space with 26 feet alongside and a deck height of 8 feet; receipt of sand, potash, quartz, limestone and ore; owned and operated by Pinney Dock and Transport Co.

(351) **Pinney Dock and Transport Co., Ashtabula Dock No. 4** (41°54'32"N., 80°47'04"W.): 2,000 feet of berthing space with 26 feet alongside and a deck height of 7 feet; receipt and shipment of general cargo in foreign and domestic trade; receipt of ore, pig iron and lumber; owned and operated by Pinney Dock and Transport Co.

(352) **Norfolk Southern Corp., Ashtabula Coal Dock** (41°54'22"N., 80°47'56"W.): 2,800 feet of berthing space with 14 feet alongside and a deck height of 7 feet; shipment of coal; owned and operated by Norfolk Southern Corp.

(369)

Structures across Grand River at Fairport

Name•Description•Type	Location	Miles*	Clear Width of Draw or Span Opening (feet)	Clear Height above Low Water Datum (feet)	Information
Overhead power cable	41°44'56"N., 81°16'52"W.	1.32		120	
Overhead power cable	41°44'07"N., 81°16'13"W.	2.50		15	Note 1
CSX Railroad Bridge (fixed)	41°44'08"N., 81°16'00"W.	2.73	72	20	
Overhead power cable	41°44'08"N., 81°15'59"W.	2.74		40	
High Street Bridge (fixed)	41°44'09"N., 81°15'58"W.	2.76	115 (right) 115 (left)	10	
Overhead cable	41°44'09"N., 81°15'58"W.	2.77		23	
St. Clair Street Bridge (fixed)	41°44'28"N., 81°15'44"W.	3.24	90	15	

* Miles above West Breakwater Light
Note 1 – Cables cross the river from the north bank to an island at midstream.

(353)

Supplies

(354) Diesel oil by tank truck and limited marine supplies and provisions are available at Ashtabula.

(355)

Repairs

(356) Three companies in Ashtabula make above-the-waterline repairs and install equipment and machinery for vessels at berth in the harbor.

(357)

Small-craft facilities

(358) There are several marinas on the Ashtabula River south of the overhead conveyor. These marinas can provide transient berths, gasoline, diesel fuel, water, ice, electricity, pump-out facilities, marine supplies, and launching ramps. Mobile lifts to 40 tons are also available for full repairs.

(359)

Communications

(360) Ashtabula is served by Class I railroads and has good highway connections.

(361)

ENCs - US4OH02M, US5OH40M, US5OH41M, US-4PA20M, US4OH04M
Charts - 14825, 14828, 14829

(362) From Ashtabula southwest for 27 miles to Fairport, the shore continues as a series of low wooded hills and small communities. Deep water is about 1 mile offshore. A sunken wreck, covered 10 feet, is about 0.6 mile offshore about 15 miles southwest of Ashtabula. A boulder, covered 15 feet, is about 3 miles east-northeast of the entrance to Fairport Harbor.

(363)

ENCs - US4OH02M, US5OH40M, US5OH41M, US4OH04M, US5OH06M
Charts - 14825, 14829, 14837

(364) **Fairport Harbor** is about 29 miles northeast of Cleveland Harbor. It comprises an outer harbor, and an inner harbor formed by the lower 1 mile of the **Grand River.**

(365) An unmarked **dumping ground** with a least reported depth of 35 feet is 3.5 miles north-northeast of the harbor entrance.

(366) **Fairport Harbor West Breakwater Light** (41°46'04"N., 81°16'52"W.), 56 feet above the water, is shown from a tower about 500 feet from the outer end of the west breakwater. A mariner radio activated sound signal at the light is initiated by keying the microphone five times on VHF-FM channel 83A.

(367)

Channels

(368) The harbor is entered from Lake Erie through a dredged channel from deep water in the lake between two converging breakwaters to an outer harbor basin, thence between parallel piers through the mouth of the river for about 1.5 miles; the piers are marked at the outer ends by lights. A turning basin is on the west side of the channel about 1 mile above the mouth. The areas on the east and west sides of the entrance channel in the outer basin and the lower 1.2 miles of the river channel are not maintained. The Federal project depths are 25 feet in the approach channel and through the outer harbor to the mouth of the river, thence 24 feet in the river channel for about 0.7 mile, thence 21 feet to Olive Street on the west bank, thence 8 feet to the head of the project; the turning basin has a project depth of 18 feet. (See Notice to Mariners and latest edition of charts for controlling depths.) The east breakwater, from its inner end, turns east and parallels the shore for about 1 mile. Lights mark the outer ends of the breakwaters and the east end of the east breakwater.

(370)

Dangers

(371) A wreck, covered 30 feet, is about 0.6 mile northwest of the breakwater entrance. In 1986, a sunken wreck was reported in the harbor approach in 41°46'18"N., 81°16'54"W. A shoal that extends northwest from the north end of the west breakwater tends to encroach the west side of the approach channel. Deep-draft vessels should avoid favoring the west channel limit when entering or

(387)

Facilities in Fairport Harbor

	Name	Location	Berthing Space (feet)	Depths* (feet)	Deck Height (feet)	Mechanical Handling Facilities and Storage	Purpose	Owned/ Operated by:
1	Union Sand & Supply Corperation Fairport Harbor Dock	41°45'27"N., 81°16'47"W.	1,119	15-23	10	• Open storage (100,000 tons of material) • Served by bucket and belt conveyor systems	Reciept of limestone and sand	The Union Sand & Supply Corperation
2	R.W. Sidley and Grand River Asphalt Company Dock	41°45'28"N., 81°16'51"W.	1,540	18-22	4-5	• Open storage (140,000 tons of limestone)	Receipt of limestone	R.W. Sidley, Inc. and Grand River Asphalt Company
3	Northeastern Road Improvement Co. Fairport Harbor Dock	41°45'20"N., 81°16'47"W.	1,000	15-20	10	• Open storage (150,000 tons of limestone)	Receipt of limestone	Northeastern Road Improvement Company
4	Morton Salt Company Fairport Harbor Dock	41°45'15"N., 81°16'50"W.	600	24	9	• Silo storage (12,000 tons of salt) • Open storage (250,000 tons salt)	Shipment of bulk salt	Morton Salt Company
5	LTV Steel Company Fairport Harbor Dock	41°45'07"N., 81°16'51"W.	1,700	24	3.5-4	• Open storage (400,000 tons of limestone) • Silo storage (1,700-ton capacity)	Receipt of limestone	LTV Steel Company
6	Osborne Concrete & Stone Company Fairport Harbor Dock	41°44'51"N., 81°17'03"W.	1,450	15	4	• Open storage (100,000 tons of material)	Receipt of limestone and sand	Osborne Concrete & Stone Company
7	Osborne Concrete & Stone Company Fairport Harbor Wharf	41°44'36"N., 81°16'48"W.	1,500	17	4	• Open storage (100,000 tons of limestone)	Receipt of limestone	Osborne Concrete & Stone Company

* The depths given above are reported. For information on the latest depths contact the port authorities or the private operators.

leaving the harbor. At times a very strong current past the river mouth pierheads makes it difficult and dangerous for unaided vessels to enter the river channel.

(372) A wreck, covered 6 feet, is in the outer harbor basin about 1,000 feet east of East Pier Light in about 41°45'41"N., 81°16'35"W.

(373) Mariners are cautioned to avoid dragging anchor over the submerged pipeline just above the river mouth. The harbormaster reports that vessels sometimes scrape the pipeline during low water conditions.

(374) The east end of the east breakwater may become submerged during certain weather conditions. The center pier abutment of a former railroad swing bridge, about 1.72 miles above the river entrance, has been removed to about 4 feet below water level; mariners are advised to use extreme caution when transiting the area.

(375)

Towage

(376) Tugs for Fairport Harbor are available from Ashtabula or Cleveland. (See Towage under Ashtabula and Cleveland.)

(377)

Quarantine, customs, immigration, and agricultural quarantine

(378) (See Chapter 3, Vessel Arrival Inspections, and appendix for addresses.)

(379) **Quarantine** is enforced in accordance with the regulations of the U.S. Public Health Service. (See Public Health Service, Chapter 1.)

(380) Fairport Harbor is a **customs station.**

(381)

Coast Guard

(382) Fairport Harbor Coast Guard Station is on the west side of the river just inside the mouth.

(383)

Harbor Regulations

(384) Speed limits and mooring/anchoring regulations are enforced in Grand River and in the outer harbor. (See **33 CFR 162.160** and **207.570**, Chapter 2, for regulations.) Local harbor regulations are enforced by the **harbormaster** who may be reached through the Chief of Police, 220 Third Street, Fairport Harbor, OH 44077. Copies of the local regulations are available to the public and may be obtained at the above address.

(385)

Wharves

(386) Fairport Harbor has several wharves and docks in Grand River. Only the deep-draft facilities are listed in the table. The alongside depths given in the table are reported depths; for information on the latest depths, contact the operator. All the facilities described have highway connections and many have railway connections. A few of the facilities have water available.

(388)

Supplies

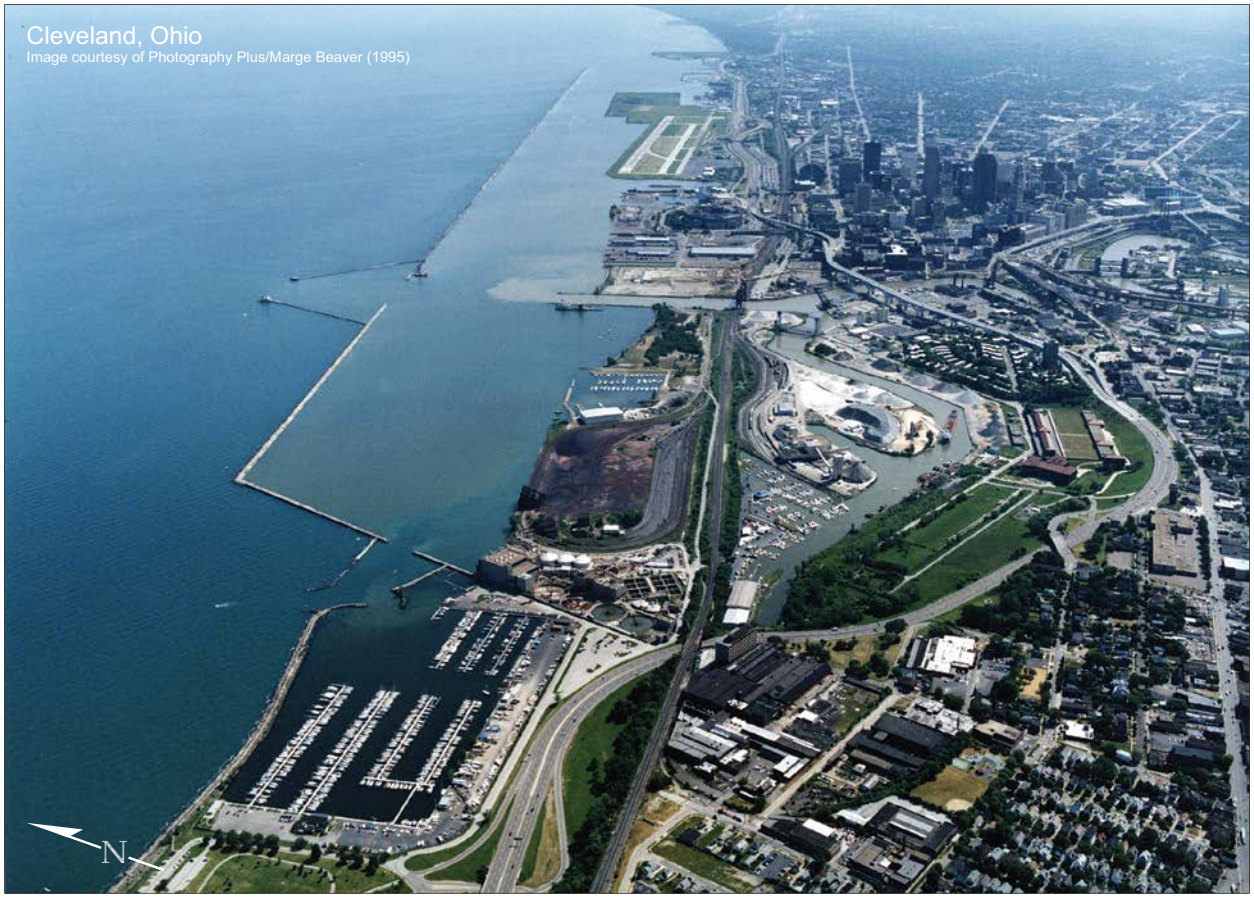
(389) Bunker fuel is available by tank vessel from Cleveland. Limited marine supplies and provisions are available at Fairport Harbor.

(390)

Small-craft facilities

(391) Several marinas on the Grand River can provide transient berths, gasoline, diesel fuel, water, ice,

(408)



electricity, pump-out facilities, marine supplies and launching ramps. Marine lifts to 35 tons are available and full repairs can be made.

(392)

Communications

(393) Fairport Harbor has good highway connections and is served by a Class I railroad.

(394)

ENCs - US4OH02M, US5OH40M, US5OH41M, US6OH01M, US4OH01M, US5OH01M, US5OH1AM, US4OH04M

Charts - 14825, 14826, 14829

(395) From Fairport Harbor, the shoreline trends southwest for about 29 miles to the main entrance to Cleveland Harbor. There is deep water about 1 mile offshore at Fairport Harbor, decreasing to 0.5 mile or less offshore at Cleveland. Several small-craft harbors and marinas are along this stretch of low wooded hills.

(396)

ENCs - US4OH02M, US5OH40M, US5OH41M, US4OH04M

Charts - 14825, 14829

(397) **Mentor Harbor**, about 4.5 miles southwest of Fairport Harbor, comprises a group of privately developed small-craft channels and basins. The entrance to the harbor, protected by parallel breakwaters, is marked by private lights on the outer and inner ends of the breakwaters; a private **142°** range marks the approach. Local yachting interests usually maintain the entrance channel, close to the east breakwater. After strong northwest to northeast winds, sandbars are reported to form in the entrance channel. In 1985, depths of 10 feet were reported in the entrance channel with, in 1979, 4 feet alongside the berths in the harbor. Transient berths, gasoline, diesel fuel, water, ice, electricity, sewage pump-out facilities, and marine supplies are available. Mobile lifts to 25 tons are available for hull, engine, and electronic repairs.

(398) A wreck, covered 20 feet, is 1.5 miles west-northwest of the entrance to Mentor Harbor.

(399) **Chagrin River** is about 10 miles southwest of Fairport Harbor. The entrance is marked by private lights on the east and west sides. Several marinas in the river provide gasoline, diesel fuel, transient berths, water, electricity, sewage pump-out, marine supplies, and launching ramps. Mobile lifts to 40 tons are available for hull, engine and electronic repairs. In 1999, depths of about 8 feet were reported in the lagoon on the west side of the river just inside the entrance.

(400) The intake channel of a powerplant is just west of the mouth of Chagrin River. A private light marks the outermost part of the breakwaters that protect the channel.

(401)

ENCs - US6OH01M, US4OH01M, US5OH01M, US5O-

(419)

Structures across Cuyahoga River

Name•Description•Type	Location	Miles*	Clear Width of Draw or Span Opening (feet)	Clear Height above Low Water Datum (feet)	Information
Old River					
CSX Railroad Bridge (bascule)	41°29'54"N., 81°42'30"W.	0.89	170	6	Bridge is permanently open
Willow Avenue Bridge (vertical lift)	41°29'51"N., 81°42'38"W.	1.02	150	12 (down); 98 (up)	
Main River Channel					
Norfolk Southern Railroad Bridge (vertical lift)	41°30'00"N., 81°42'33"W.	0.76	250	8 (down); 98 (up)	Note 1
Main Avenue Viaduct	41°29'55"N., 81°42'19"W.	1.01	218	92	A vertical clearance of 97 feet is available for the 165-foot center width
CSX Railroad Bridge (bascule)	41°29'45"N., 81°42'08"W.	1.28	229	8	Bridge is permanently open
Center Street Bridge (swing)	41°29'39"N., 81°42'12"W.	1.39	113	17	
Detroit-Superior Viaduct	41°29'37"N., 81°42'13"W.	1.42	113	98	
Union Terminal Viaduct	41°29'18"N., 81°42'05"W.	1.89	200	98	
Columbus Road Bridge (vertical lift)	41°29'18"N., 81°42'02"W.	1.93	220	17 (down); 98 (up)	
Flats Industrial Railroad Bridge (vertical lift)	41°29'31"N., 81°41'59"W.	2.24	200	8 (down); 97 (up)	
Conrail Bridge (vertical lift)	41°29'39"N., 81°41'53"W.	2.42	200	23 (down); 98 (up)	
Carter Road Bridge (vertical lift)	41°29'39"N., 81°41'52"W.	2.43	201	22 (down); 97 (up)	
Eagle Avenue Bridge (vertical lift)	41°29'36"N., 81°41'32"W.	2.80	187	15 (down); 97 (up)	
Hope Memorial Bridge (fixed)	41°29'21"N., 81°41'37"W.	3.14	178	96	
Conrail Bridge (bascule)	41°29'19"N., 81°41'37"W.	3.19	134	20	
Norfolk Southern Railroad Bridge (vertical lift)	41°29'12"N., 81°41'30"W.	3.34	200	64 (down); 97 (up)	
Inner Belt Freeway Bridge (fixed)	41°29'10"N., 81°41'25"W.	3.42	230	93	A vertical clearance of 97 feet is available for the 199-foot center width
West 3rd Street Bridge (vertical lift)	41°29'17"N., 81°41'09"W.	3.69	200	10 (down); 97 (up)	
Overhead power cable	41°29'17"N., 81°41'08"W.	3.71		124	
CSX Railroad Bridge (bascule)	41°28'44"N., 81°40'28"W.	4.75	110	10	
Overhead power cable	41°28'45"N., 81°40'27"W.	4.76		121	
Overhead power cable	41°28'44"N., 81°40'27"W.	4.77		105	
I-490 Bridge (fixed)	41°28'43"N., 81°40'25"W.	4.79	110	101	
Overhead power cable	41°28'18"N., 81°40'08"W.	5.34		122	
Overhead conveyor	41°28'18"N., 81°40'08"W.	5.35	210	99	
Overhead pipeline	41°28'16"N., 81°40'08"W.	5.39	210	99	
River Terminal Railroad Bridge (bascule)	41°28'14"N., 81°40'08"W.	5.42	129	15	
Wheeling & Lake Erie Railroad Bridge (vertical lift)	41°28'11"N., 81°40'08"W.	5.47	200	28 (down); 97 (up)	
Overhead power cable	41°28'11"N., 81°40'09"W.	5.49		122	
Norfolk Southern Railroad Bridge (fixed)	41°27'53"N., 81°40'37"W.	6.07	27	14	
Overhead telephone cable	41°27'53"N., 81°40'38"W.	6.08	N/A	N/A	
Newburgh & South Shore Railroad Bridge (fixed)	41°27'53"N., 81°40'38"W.	6.09	59	14	
Overhead cable	41°27'52"N., 81°40'40"W.	6.10		118	

* Miles above West Pierhead Light

Note 1 – The bridgetender monitors VHF-FM channel 16 and works on channel 13; call sign, KUF-618.

See 33 CFR 117.1 through 117.49, chapter 2, for drawbridge regulations.

Bridges over Cuyahoga River will be closed to river traffic as follows: Carter Road and Eagle Avenue bridges, 0730 to 0800, 0815 to 0845, 1615 to 1645, and 1700 to 1730, provided that when these two bridges are opened between 0800 and 0815 and between 1645 and 1700 the opening shall be so timed as to permit a moving vessel to pass through both draws; Columbus Road and West Third Street, 0730 to 0800 and 1700 to 1730. The above hours are not applicable to Sundays, legal holidays, and Saturday afternoons, nor at times of emergency when fire tugs request the opening of any draw, nor when there is a swift current in the river. The rush hour bridge closures do not apply to commercial vessels; however, commercial vessels are asked to voluntarily comply with such closures.

H1AM, US4OH04M
Charts - 14826, 14829

(402) The Wildwood Yacht Club harbor is about 5.4 miles northeast of Cleveland Harbor East Entrance Light, close northeast of **Euclid Creek.** The entrance is marked by private lights on the ends of the east and west pierheads. A detached breakwater is marked by private lights. In 1977, the reported controlling depths were 7 feet in the entrance, and 7 to 11 feet in the harbor.

(403) The Northeast Yacht Club Basin is adjacent to the Easterly Wastewater Treatment Plant, about 4 miles northeast of Cleveland Harbor East Entrance Light. The entrance is marked by private lights on the east end of the north breakwater and the north end of the east breakwater.

(404) In 1984, a dangerous submerged wreck was reported about 2 miles northwest of the mouth of Euclid Creek in about 41°36'N., 81°36'W.

(405) About 3.1 miles southwest of Euclid Creek, at the mouth of a stream known locally as **Dugway Brook,** are submerged pilings in 12 feet of water.

(406)

ENCs - US6OH01M, US4OH01M, US5OH01M, US5OH1AM, US4OH04M, US5OH11M
Charts - 14826, 14829, 14839

(407) **Cleveland Harbor,** about 175 miles southwest of Buffalo and 95 miles east of Toledo, consists of an outer harbor formed by breakwaters and an inner harbor made up of the **Cuyahoga River,** and the **Old River** which was the original outflow channel of the Cuyahoga River. The city of **Cleveland, OH,** is one of the major industrial centers on Lake Erie. The major commodities handled at the port are steel, heavy machinery, dry bulk and salt.

(409) Vessels calling at Cleveland Harbor may obtain information on river traffic by contacting the Great Lakes Towing Co. dispatcher on VHF-FM channels 16 or 10, or by radiotelephone through a land station, telephone, 800–321–3663.

(410) An unmarked **dumping ground** with a least reported depth of 35 feet is about 9.3 miles north of the main entrance to Cleveland Harbor.

(411)

Prominent features

(412) The most prominent objects when approaching Cleveland Harbor are the Municipal Stadium 0.7 mile east of the mouth of the Cuyahoga River, the Federal Office Building and the Erieview Plaza Tower about 1.1 miles east of the mouth, the Terminal Tower 1 mile southeast of the mouth, and the lighted *W* sign 3.3 miles west of the mouth on the lakefront.

(413) **Cleveland Waterworks Intake Crib Light** (41°32'54"N., 81°45'00"W.), 55 feet above the water, is a private aid shown from a square house on a cylindrical crib about 3.3 miles northwest of the harbor entrance; a sound signal is at the light.

(414) **Cleveland Harbor East Entrance Light 2** (41°32'35"N., 81°39'05"W.), 59 feet above the water, is shown from a white cylindrical tower with a red band at the end of the outer harbor breakwater.

(415) **Cleveland Harbor Main Entrance Light** (41°30'32"N., 81°43'04"W.), 63 feet above the water, is shown from a white conical tower with attached building on the west side of the main entrance to Cleveland Harbor. A mariner radio activated sound signal is at the light, initiated by keying the microphone five times on VHF-FM channel 83A.

(416)

Channels

(417) Cleveland outer harbor is formed by a series of breakwaters paralleling the shore for about 1 mile west and 4 miles east of the mouth of the Cuyahoga River. Lights mark the ends of each of the breakwaters. The main entrance from Lake Erie is through a dredged approach channel opposite the mouth of the river. The harbor may also be entered at the east end, and small craft may enter at the west end. The anchorage in the outer harbor has a mud and sand bottom. In the inner harbor, dredged channels lead upstream for about 5.6 miles in the Cuyahoga River and for about 1 mile in Old River, which branches west from Cuyahoga River 0.4 mile above the mouth. Lighted and unlighted buoys mark the limits of the dredged areas in the outer harbor. The piers at the mouth of the river are marked on the outer ends by lights.

(418) The Federal project depths are 29 feet in the approach channel from deep water in the lake, thence 28 feet through the entrance channel to the mouth of the river and in West Basin, 28-27 feet in East Basin, and 25 feet in Airport Range. In the inner harbor, project depths are 27 feet in the Cuyahoga River from the mouth to the junction with Old River, thence 23 feet to the upstream limit of the project, and 27 feet in Old River. (See Notice to Mariners and latest edition of charts for controlling depths.)

(420)

Anchorages

(421) Deep-draft vessels normally anchor about 2 miles southwest or 3 miles east of Cleveland Waterworks Intake Crib Light in about 40 to 48 feet of water, clay and gravel bottom. The holding ground at these locations is reported to be good. Avoid anchoring over the potable water intake, the outer end of which is marked by a lighted buoy 0.7 mile west of Cleveland Waterworks Intake Crib Light. General anchorages are in the northwest part of West Basin and south of the dredged channel in the east part of East Basin. An explosives anchorage is on the northwest side of the east breakwater. (See **33 CFR 110.1** and **110.207**, Chapter 2, for limits and regulations.) In 1977, it was reported that the East Basin general anchorage and the explosives anchorage had not been used for about 10 years. The West Basin anchorage has a sand and mud bottom and is used only occasionally. The harbormaster, who has control of the waters for all three anchorages, generally orders vessels to anchor outside the harbor.

(429.0010)

CLIMATOLOGICAL DATA – CLEVELAND, OHIO (41°26'N, 81°52'W) 770 feet (235 m)

WEATHER ELEMENTS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YEAR	YEARS OF RECORD
SEA LEVEL PRESSURE (station pressure reduced to sea level)														
Mean (millibars)	1019.1	1018.8	1016.7	1015.7	1015.9	1015.3	1016.4	1017.3	1018.5	1019.1	1018.1	1019.2	1017.5	48
TEMPERATURE (°F)														
Mean	26.6	28.5	37.3	48.7	59.1	68.4	72.8	71.2	64.4	53.7	42.5	31.5	50.5	48
Mean daily maximum	33.5	36.0	45.6	58.4	69.4	78.7	82.7	81.0	74.1	63.0	49.9	37.9	59.3	48
Mean daily minimum	19.1	20.5	28.5	38.5	48.3	57.7	62.3	61.0	54.2	43.9	34.7	24.6	41.2	48
Extreme (highest)	73	69	82	88	92	104	100	102	101	89	82	77	104	48
Extreme (lowest)	-20	-15	-5	10	25	31	41	38	34	19	3	-15	-20	48
RELATIVE HUMIDITY														
Average percentage	66.1	63.5	41.5	31.6	34.4	28.4	39.0	48.1	60.2	65.7	55.7	67.3	50.1	48
CLOUD COVER														
Percent of time clear	9.8	12.5	15.0	17.8	19.6	19.3	21.4	21.8	22.7	23.1	11.9	9.8	17.1	48
Percent of time scattered	9.9	11.0	12.4	15.3	19.7	24.0	27.2	27.2	22.0	16.9	11.7	9.0	17.2	48
Percent of time broken	12.1	13.6	14.8	16.3	19.5	22.5	23.4	22.1	21.1	18.5	14.0	12.2	17.5	48
Percent of time overcast	68.3	62.9	57.7	50.6	41.2	34.1	28.0	28.8	34.3	41.5	62.4	68.9	48.1	48
PRECIPITATION (inches)														
Mean amount	2.5	2.2	3.0	3.4	3.4	3.5	3.5	3.4	3.1	2.5	3.2	2.9	37.1	48
Greatest amount	7.0	4.7	6.0	6.6	9.1	9.0	9.1	8.9	7.3	9.5	8.8	8.5	53.8	48
Least amount	0.3	0.4	0.7	1.2	1.0	0.6	1.2	0.5	0.7	0.6	0.8	0.7	18.7	48
Maximum amount (24 hrs)	2.5	2.0	2.7	2.1	3.3	2.9	2.7	3.5	2.3	3.3	2.2	2.3	3.5	48
Mean number of days	25	21	22	19	17	15	14	14	14	15	20	24	220	48
SNOW														
Mean amount	13.5	12.2	10.6	2.3	0.1	0.0	0.0	0.0	0.0	0.7	5.3	12.0	56.5	48
Greatest amount	42.8	39.1	26.3	13.2	2.1	0.0	0.0	0.0	0.0	8.0	22.3	30.3	96.5	48
Least amount	2.0	3.1	1.2	T	0.0	0.0	0.0	0.0	0.0	0.0	T	1.0	24.5	48
Maximum amount (24 hrs)	10.4	13.6	10.8	8.6	2.0	0.0	0.0	0.0	0.0	6.7	12.8	12.0	13.6	48
Mean number of days	21	17	14	5	Miss	0	0	0	0	1	9	17	84	48
WIND														
Percentage with gales	0.06	0.01	0.08	0.06	0.01	0.01	0.00	0.00	0.00	0.00	0.02	0.02	0.02	48
Mean wind speed (knots)	10.7	10.1	10.5	9.9	8.7	8.1	7.5	7.2	7.7	8.7	10.3	10.5	9.1	48
Direction (percentage of observations)														
North	3.7	6.5	7.4	8.7	10.2	9.6	10.0	9.5	7.2	4.9	3.3	3.3	7.0	48
North Northeast	3.3	6.2	8.0	7.5	9.4	8.2	7.0	7.4	5.8	3.8	2.4	2.2	5.9	48
Northeast	2.6	4.3	5.6	4.9	5.7	4.0	3.7	3.8	3.5	3.1	2.0	2.1	3.8	48
East Northeast	2.0	2.0	2.8	2.2	2.4	1.8	1.6	2.2	2.3	2.2	1.8	1.8	2.1	48
East	1.4	1.8	2.1	2.2	1.9	1.7	1.7	1.7	2.5	2.2	1.5	1.7	1.9	48
East Southeast	2.0	2.5	3.0	3.0	2.4	1.9	1.7	1.9	2.6	2.4	2.2	2.5	2.3	48
Southeast	2.6	3.3	3.9	3.8	3.8	3.0	3.0	3.2	4.1	4.2	3.7	3.7	3.5	48
South Southeast	5.5	5.2	5.5	6.2	6.1	6.4	5.8	6.0	7.7	8.3	7.2	6.2	6.4	48
South	11.1	9.6	8.6	10.0	10.1	12.1	11.2	11.5	13.4	13.8	14.1	13.3	11.6	48
South Southwest	12.8	10.1	8.9	9.2	9.8	12.8	13.1	12.7	13.0	14.3	13.9	13.3	12.0	48
Southwest	15.7	12.5	8.9	9.8	10.2	12.8	14.7	14.2	12.7	13.7	15.3	14.7	13.0	48
West Southwest	13.4	10.2	8.2	7.2	6.7	6.2	6.6	6.2	6.0	7.9	13.5	14.2	8.8	48
West	7.0	6.5	6.7	5.4	4.1	3.5	3.5	3.1	3.5	4.0	5.3	6.5	4.9	48
West Northwest	7.1	7.3	7.5	6.6	4.8	4.0	4.3	3.6	4.2	4.6	5.7	6.5	5.5	48
Northwest	5.0	5.6	6.2	5.4	4.1	3.8	3.6	3.9	3.8	4.2	4.5	4.4	4.5	48
North Northwest	3.7	4.6	4.7	5.5	5.2	4.8	4.8	4.6	3.9	3.6	2.8	2.6	4.2	48
Calm	1.4	2.1	1.8	2.6	3.5	3.7	4.1	4.8	4.3	3.3	1.3	1.3	2.8	48
Direction (mean speed, knots)														
North	8.3	8.7	8.8	8.6	8.3	8.0	8.0	8.0	8.1	8.4	8.3	8.9	8.3	48
North Northeast	9.2	9.7	9.7	9.2	9.1	8.7	8.3	8.4	8.3	8.6	9.3	9.5	9.0	48
Northeast	10.3	10.0	10.2	9.6	8.7	8.6	7.9	7.9	8.5	8.4	9.5	9.8	9.1	48
East Northeast	8.9	8.4	8.6	8.1	7.3	7.0	7.5	6.8	7.0	8.0	8.6	8.6	7.9	48
East	7.8	7.5	8.2	8.6	6.6	6.3	6.1	5.4	6.5	6.3	7.9	7.7	7.1	48
East Southeast	8.4	8.6	9.5	9.5	7.3	7.0	7.0	6.7	6.9	7.2	8.2	8.9	8.0	48
Southeast	8.5	8.6	9.3	8.8	7.4	6.2	5.8	5.7	6.1	7.0	8.0	8.0	7.5	48
South Southeast	9.1	8.9	9.8	9.1	8.1	6.8	6.2	6.4	6.9	7.9	9.4	9.3	8.1	48
South	10.9	10.2	10.7	10.5	9.3	8.3	7.5	7.1	8.2	9.1	10.9	10.9	9.4	48
South Southwest	11.0	10.7	11.2	10.5	9.5	8.7	8.0	7.2	8.1	9.2	10.4	10.9	9.5	48
Southwest	11.2	10.8	11.6	11.0	9.3	8.7	7.8	7.3	8.1	9.1	10.6	10.7	9.6	48
West Southwest	12.3	11.6	12.7	12.3	10.0	9.0	8.5	8.1	8.4	9.8	11.7	11.7	10.9	48
West	11.7	11.8	12.2	11.6	9.7	9.3	8.2	7.9	8.4	9.6	11.1	11.2	10.6	48
West Northwest	11.6	11.8	11.7	11.5	10.6	9.5	9.3	8.6	9.6	10.2	11.1	11.4	10.8	48
Northwest	11.4	10.8	11.1	10.7	9.5	9.2	8.7	8.5	9.5	10.6	11.2	11.5	10.4	48
North Northwest	10.6	10.3	10.0	9.9	8.5	8.8	8.0	8.1	9.1	9.5	10.4	11.0	9.4	48
VISIBILITY														
Mean number of days with fog	13	12	13	12	13	11	12	14	12	11	12	13	148	48

T = trace (not measurable) amount of precipitation
Miss or blank is a missing value

Vessels are prohibited from anchoring within 2,000 feet west of the main entrance channel.

(422)

Dangers

(423) During flood stages of the Cuyahoga River, debris may be encountered in the river and in the outer harbor.

(424) **Safety zones** have been established in the vicinity of river bends along Cuyahoga and Old Rivers. Mooring, standing or anchoring is prohibited in these areas. (See **33 CFR 165.1** through **165.7**, **165.20** through **165.23**, and **165.903**, Chapter 2, for limits and regulations.)

(425) Heavy small pleasure-craft traffic during the boating season is in Old River and on the Cuyahoga River as far upstream as just below the Conrail Bridge at mile 2.42.

(426)

Weather, Cleveland and vicinity

(427) Cleveland, OH, located on the south shore of Lake Erie and in northeastern Ohio, averages about 12 days each year with maximum temperatures in excess of 90°F (32.2°C). July is the warmest month with an average high of 83°F (28.3°C) and an average minimum of 62°F (16.7°C). January is the coolest month with an average high of 34°F (1.1°C) and an average minimum of 19°F (-7.2°C). The highest temperature on record for Cleveland is 104°F (40°C) recorded in June 1988 and the lowest temperature on record is -20°F (-28.9°C) recorded in January 1994. About 122 days each year sees temperatures below 32°F (0°C) and an average ten days each year records temperatures below 5°F (-15°C). Every month has seen temperatures below 40°F (4.4°C) except July (41°F, 5°C) and every month except July, August, and September has recorded temperatures at or below freezing (0°C).

(428) The average annual precipitation for Cleveland is 37.2 inches (945 mm) which is fairly evenly distributed throughout the year. Precipitation falls on about 220 days each year. The wettest month is July with 3.6 inches (91 mm) and the driest, February, averages only 2.3 inches (58 mm). An average of 33 thunderstorm days occur each year with June and July being the most likely months. Snow falls on about 84 days each year and averages about 57 inches (1448 mm) each year. December, January, and February each average greater than 12 inches (305 mm) per month. One foot or greater (305 mm) snowfalls in a 24-hour period have occurred in each month November, December, and February and 14 inches (356 mm) fell in one 24-hour period during February 1993. About 12 days each year has a snowfall total greater than 1.5 inches (38 mm) and snow has fallen in every month except June, July, August, and September. Fog is present on average 148 days each year and is evenly distributed throughout the year with a slight maximum in August.

(429) The prevailing wind direction in Cleveland is southwest. March is the windiest month. The highest gust on record was a southwest wind of 71 knots recorded in 1978.

(430) <Deleted Paragraph>

(431)

Towage

(432) Tugs to 2,000 and 1,200 hp are available from Great Lakes Towing Co. or Gaelic Tugboat Co., respectively. Arrangements for tugs are made through the companies' dispatchers in Cleveland at 800–321–3663 or 216–566–0400, respectively. Both dispatchers may be contacted on VHF-FM channel 16. At least 3 hours advance notice is requested.

(433) At least 2 hours advance notice is requested. Vessels carrying 1,200 tons or more of gasoline, oil, explosives, or other dangerous material, and all vessels carrying 3,000 tons or more of cargo of any kind, must have the assistance of a tug or tugs while navigating the Cuyahoga River south of Superior Avenue.

(434)

Quarantine, customs, immigration, and agricultural quarantine

(435) (See Chapter 3, Vessel Arrival Inspections, and appendix for addresses.)

(436) **Quarantine** is enforced in accordance with the regulations of the U.S. Public Health Service. (See Public Health Service, Chapter 1.)

(437) Cleveland is a **customs port of entry.**

(438)

Coast Guard

(439) A Marine Safety Unit and the headquarters of the Ninth Coast Guard District are at Cleveland. (See Appendix A for addresses.) **Cleveland Coast Guard Station** is on the south side of the outer harbor just west of Burke Lakefront Airport.

(440)

Harbor Regulations

(441) Federal regulations specify a **speed limit** of 6 mph (5.2 knots) in the harbor except in the outer harbor where the speed limit is 10 mph (8.7 knots). (See **33 CFR 162.160** and **207.570**, Chapter 2, for regulations.) However, the city of Cleveland has adopted a lesser **speed limit** of no wake, 4 mph (3.5 knots) in the Cuyahoga River and Old River. During fog or when a blue light or flag is shown from any pier, wharf, bridge or other place where person or property may be endangered, a **speed limit** of 2 mph (1.7 knots) is enforced.

(442) Local harbor regulations are established by the city of Cleveland and enforced by the **harbormaster** who can be contacted at Water Control Laboratory, New West Pier, Whiskey Island, c/o Water Control Laboratory, 1201 Lakeside Avenue, Cleveland, OH 44114. Copies of the regulations can be obtained from the Office of the City Clerk, Room 216, City Hall, 601 Lakeside Avenue, Cleveland, OH 44114.

(443)

Wharves

(444) There are extensive waterfront facilities in Cleveland outer harbor and along both banks of Cuyahoga River and

(445)

Facilities in Cleveland Harbor

Name	Location	Berthing Space (feet)	Depths* (feet)	Deck Height (feet)	Mechanical Handling Facilities and Storage	Purpose	Owned/Operated by:
Cleveland Bulk Terminal	41°29'48"N., 81°43'25"W.	1875	24	9	• Open storage (1 million tons) • Three diesel front-end loaders	Reciept of iron ore, iron-ore pellets and other dry-bulk commodities	Cleveland-Cuyahoga County Port Authority/ Carmeuse Lime & Stone
Cleveland-Cuyahoga Port Authority Berth 22	41°30'17"N., 81°42'26"W.	780	27	10	• Open storage (9 acres)	Receipt of miscellaneous dry-bulk material	Cleveland-Cuyahoga County Port Authority
Cleveland-Cuyahoga Port Authority Pier 24	41°30'21"N., 81°42'23"W.	1833	27	10.4	• Open storage (3 acres) • Covered storage (144,000 square feet)	Receipt and shipment of conventional/ containerized general cargo and steel products. Receipt of fluorspar, bauxite and newsprint	Cleveland-Cuyahoga County Port Authority/ Ceres Terminals Co.
Cleveland-Cuyahoga Port Authority Pier 26	41°30'25"N., 81°42'18"W.	1676	25	10.4	• Open storage (1.2 acres) • Transit shed	Receipt and shipment of conventional/ containerized general cargo	Cleveland-Cuyahoga County Port Authority/ Ceres Terminals Co.
Cleveland-Cuyahoga Port Authority Stadium Wharf Berths 28, 30, 32	41°30'33"N., 81°42'01"W.	1606	27	10.4	• Open storage (10 acres) • Five crawler cranes (65 to 230-tons) • Front-end loaders	Receipt and shipment of conventional/ containerized general cargo. Receipt of aluminum pigs; handling of steel products	Cleveland-Cuyahoga County Port Authority/ Federal Marine Terminals Co., Inc.
Lafarge Cement Corp. Cleveland Terminal Wharf	41°29'49"N., 87°42'32"W.	415	24	8	• Silo storage (36,000 tons) • Two 10-inch pipelines extend from wharf to silos	Receipt of cement	Lafarge Cement Corp.
Ontario Stone Corp. Old River Dock No. 3	41°29'41"N., 81°42'49"W.	600	25	8	• Open storage (200,000 tons of material storage) • Four front-end loaders	Receipt of limestone and other dry bulk commodities	Ontario Stone Corp.
Ontario Stone Corp. Old River Dock No. 4	41°29'37"N., 81°42'49"W.	1620	19	7	• Open storage (300,000 tons of material storage) • Four front-end loaders	Receipt of limestone and other dry bulk commodities	Ontario Stone Corp.
Sand Products Corp.	41°29'33"N., 81°42'56"W.	1000	20		• Silo storage (1,000 tons) • Four front-end loaders	Receipt of sand	Sand Products Corp.
Cargill Salt Division Cleveland Mine Wharf	41°29'36"N., 81°43'05"W.	602	18	12	• Covered storage (36,000 tons) • One fixed loading tower with ground-level hopper serves belt-conveyor system	Shipment of graded, dry-bulk rock salt	Cargill Salt Division, Cargill Inc.
Cleveland-Cuyahoga Port Authority Dock 20	41°30'09"N., 81°42'38"W.	1200	27	8	Open storage (9 acres)	Receipt of miscellaneous dry-bulk materials	Cleveland-Cuyahoga County Port Authority
Essroc Italcemente Group, Cement Dock	41°30'03"N., 81°42'34"W.	1495	27	8	• Silo storage (13,800 tons) • Three 10-inch unloading pipelines	Receipt of cement	Cleveland-Cuyahoga County Port Authority/ Essroc Italcemente Group
Ontario Stone Corp. Old River Dock No. 1	41°29'58"N., 81°42'34"W.	500	25	8	Open storage (140,000 tons)	Receipt of limestone and other dry-bulk commodities	Ontario Stone Corp.
Southdown Cement Co. Cleveland Dock	41°29'28"N., 81°42'00"W.	600	20	5	Silo storage (15,000 tons)	Receipt of bulk cement	Southdown Cement Co.
United Ready Mix	41°29'28"N., 81°41'56"W.	895	18	10	• Open storage (19,000 tons of sand and gravel) • Front-end loaders	Receipt of sand and gravel; occasional receipt of stone	Forest City Enterprise Inc./United Ready Mix Inc.
Mid Continent Coal and Coke Co. Cleveland Dock	41°29'30"N., 81°41'33"W.	1745	8	6	• Open storage (20,000 tons) • One fixed loading tower with conveyor and loading chute serves belt-conveyor system	Shipment of coal, lignite and coal coke	Mid Continent Coal and Coke Co.
River Dock Inc.	41°29'17"N., 81°41'33"W.	630	19	8	• Open storage (780,000 tons) • One 4½-cubic-yard front-end loaders	Receipt of limestone	River Dock, Inc.
Lafarge Corp. W 3rd St Cleveland Wharf	41°29'15"N., 81°41'17"W.	1680	24	6	• Open storage (185,000 tons) • Three front-end loaders	Receipt of sand, limestone and dry-bulk materials	Lafarge Corp., Construction Materials Group
Ontario Stone Corp. Cuyahoga River Dock No. 2	41°29'20"N., 81°41'05"W.	565	22	8	• Open storage (100,000 tons) • Four front-end loaders	Receipt of limestone	Ontario Stone Corp.
Fleet Supplies Cuyahoga River Wharf	41°29'20"N., 81°40'58"W.	383	20	9	Tank storage for 2.6 million gallons of liquid calcium and 92,320 barrels of petroleum	Receipt of liquid calcium and diesel fuel	Arc Terminal
Osborne Concrete and Stone Co. Cuyahoga Stone Dock	41°29'15"N., 81°40'48"W.	2150	22	6	• Open storage (27 acres) • Cranes and portable electric belt conveyors • Four front-end loaders	Receipt of gravel and shipment of iron ore	Osborne Concrete and Stone Co.

Facilities in Cleveland Harbor

Name	Location	Berthing Space (feet)	Depths* (feet)	Deck Height (feet)	Mechanical Handling Facilities and Storage	Purpose	Owned/Operated by:
Bituminous Products Co. Cleveland Terminal Dock	41°29'03"N., 81°40'39"W.	300	18	10	Tank storage (215,900 barrels)	Receipt of asphalt	Osborne Inc./Bituminous Products Co.
Blue Circle Cement Co. Cuyahoga Terminal Dock	41°28'58"N., 81°40'38"W.	1335	19	8	Silo storage (24,000 tons)	Receipt of cement	Blue Circle Cement Co.
Lafarge Corp. Cleveland "J" Wharf	41°28'54"N., 81°40'35"W.	550	19	5	Open storage (4 acres)	Receipt of limestone and other dry-bulk materials	Lafarge Corp., Construction Materials Group
LTV Steel Corp. Cuyahoga Lower Dock, West Side	41°28'28"N., 81°40'14"W.	2054	10	10.7	• Open storage for 750,000 tons of iron-ore pellets and 35,000 tons of limestone • One traveling bridge crane	Receipt of iron-ore pellets and limestone	LTV Steel Corp.
LTV Steel Corp. Cuyahoga West Side, Middle Dock	41°28'02"N., 81°40'19"W.	2780	19	9.5	Open storage for 850,000 tons of iron-ore pellets and 150,000 tons of limestone	Receipt of iron-ore pellets, limestone and ferrous scrap	LTV Steel Corp.
LTV Steel Corp. Cuyahoga Fuel Dock	41°28'03"N., 81°40'15"W.	1150	20	8	Tank storage (285,700 barrels)	Receipt of fuel oil for plant consumption	LTV Steel Corp.
LTV Steel Corp. Cuyahoga Upper Dock, East Side	41°27'52"N., 81°40'29"W.	1320	20	10	• Open storage for 674,000 tons of iron-ore pellets • Two electric traveling bridge cranes • Three front-end loaders	Receipt of iron-ore pellets	LTV Steel Corp.

* The depths given above are reported. For information on the latest depths contact the port authorities or the private operators.

Old River. Only the deep-draft facilities are listed in the table. The alongside depths for the facilities in the table are reported depths; for information on the latest depths, contact the operator. All the facilities described have highway connections and many have railway, water and electrical shore-power connections. Many of the piers, wharves and docks are available for winter mooring of vessels during the closed navigation season.

(446)

Supplies

(447) All types of marine supplies and provisions are available at Cleveland. Vessels normally receive bunker and diesel fuels at their berths from self-propelled vessels.

(448)

Repairs

(449) The Halvorsen Boiler and Engineering Company maintains portable equipment for making repairs to vessels at their berths and a machine shop capable of producing shafts 16 feet by 14 inches. G and W Industries, Inc. has a berth on the south side of the river above the Carter Road bridge with a 60-ton crane and floating cranes to 35 tons. They produce shafts up to 12 feet by 36 inches. The above repair companies are on the Cuyahoga River and provide all types of above- the-waterline repairs to vessels in Cleveland harbor.

(450) Great Lakes Towing Company's facility is in Old River and has a 250-ton floating drydock, a heavy lift crane, and complete machinery facilities for above and below-waterline repairs of all types.

(451)

Small-craft facilities

(452) There are several marinas in West Basin and in East Basin northeast of the airport. The marinas can provide transient berths, gasoline, diesel fuel, water, ice, electricity, some marine supplies, pump-out facilities and dry winter storage. Marine lifts to 75 tons are available for full repairs. A boatyard at the upper end of Old River has a travellift and crane with capacities to 20 tons, and can make small-craft repairs of all kinds. Marine supplies and provisions are available in the city and at several marine supply companies on the Cuyahoga River. Numerous marinas are along the banks of Old River and Cuyahoga River.

(453)

Communications

(454) Cleveland is a major transportation terminus. The city is served by several rail lines and has excellent highway connections. Major international and domestic airlines serve Cleveland-Hopkins International Airport in the southwest part of the city and Burke Lakefront Airport on the south side of the outer harbor.

(455)

ENCs - US6OH01M, US4OH01M, US5OH01M, US5OH1AM, US4OH04M
Charts - 14826, 14829

(456) West from Cleveland, the shore consists of 10- to 20-foot-high bluffs and sandy beaches, and the shoreline trends generally west to **Avon Point**(41°30'54"N., 82°00'48"W.), a broad rounding point projecting somewhat to north about 15 miles from the Cleveland entrance. From Avon Point to Lorain, about 10 miles southwest, the bluffs are smaller. Between Cleveland and Lorain, deep water is no more than 1.2 miles offshore except just east of Lorain where detached shoal spots extend 3 miles into the lake. A wreck, covered 30 feet, is 4.3 miles north-northeast of Avon Point.

(457) **Rocky River Harbor** is at the mouth of the **Rocky River,** about 6.5 miles west of Cleveland Harbor entrance, at the city of **Lakewood, OH.**

(458) Two unmarked **dumping grounds** with least reported depths of 35 feet are 1.3 and 3.6 miles north of the mouth of Rocky River.

(459)

Channels

(460) The harbor is entered from Lake Erie through a dredged entrance channel on the southwest side of a pier that extends lakeward from the east side of the mouth of Rocky River. Lights mark the outer and inner ends of the pier. The dredged channel extends upstream for 0.9 mile above the mouth to a turning basin at the head. An anchorage basin is on the southwest side of the channel just inside the mouth of the river. (See Notice to Mariners and the latest edition of the chart for controlling depths.)

(461)

Bridges

(462) Three fixed bridges with a least clearance of 49 feet cross the navigable portion of Rocky River. The Clifton-Westlake highway bridge, the Norfolk Southern Railway bridge, and the Detroit Road highway bridge are 0.4, 0.5, and 0.7 mile above the mouth, respectively. Overhead power cables with a minimum clearance of 49 feet are just below the railroad bridge and just below the Detroit Road bridge.

(463) **Harbor regulations** have been established by the city of Lakewood. The Department of Public Safety enforces a 6 mph (5.2 knots) **speed limit**. Copies of the regulations may be obtained from the Department of Public Safety.

(464)

Small-craft facilities

(465) Most of the facilities in the harbor are private. However, limited transient berths, gasoline, water, electricity, a launching ramp, and marine supplies are available. Hoists to 6 tons are available for hull and engine repairs.

(466) About 2.2 miles west-southwest of Avon Point, a private light marks the outer end of the breakwaters protecting the intake channel of the Cleveland Electric Illuminating Co. A wreck, covered 6 feet, is close north of the light.

(467)

ENCs - US6OH01M, US4OH01M, US5OH01M, US5OH1AM, US4OH04M, US5OH21M
Charts - 14826, 14829, 14841

(468) **Lorain Harbor**, serving the city of **Lorain, OH,** is about 25 miles west of Cleveland Harbor. It comprises the lower 3 miles of the **Black River** and an outer harbor.

(469) An unmarked **dumping ground** with a least reported depth of 35 feet is centered about 3.5 miles north of the harbor entrance.

(470)

Prominent features

(471) The ore docks on the west side of the mouth of Black River and the stacks of the powerplant 0.3 mile southwest of the mouth are prominent.

(472) **Lorain Harbor Light** (41°28'52"N., 82°11'43"W.), 60 feet above the water, is shown from a tower on the west end of the detached breakwater on the north side of the entrance channel. A mariner radio activated sound signal is at the light, initiated by keying the microphone five times on VHF-FM channel 83A.

(473)

Channels

(474) The harbor is entered through a dredged entrance channel that leads east-southeast from the deep water in Lake Erie on the south side of a detached breakwater, and then leads southeast between converging breakwaters to the mouth of Black River. The mouth of the river is entered between parallel piers, and the dredged channel leads upstream for about 2.8 miles. A turning basin is on the southwest side of the channel, 1.6 miles above the mouth and two turning basins are at the head of the project. In the outer harbor, basins are on either side of the entrance channel. From the south side of the outer harbor west basin, an approach channel leads southeast to the municipal pier 0.2 mile west of the mouth of the river. Lights mark the ends of the breakwaters and the piers at the river mouth. (See Notice to Mariners and the latest edition of the chart for controlling depths.)

(475) A semicircular diked disposal area is on the northeast side of the east breakwater. A floating breakwater extends about 750 feet at right angles from the southwest side of the same breakwater.

(476)

Dangers

(477) Several detached shoals are in the approach to Lorain Harbor. A shoal with least depths of 22 feet extends 1.4 miles from shore within 2 miles east of the harbor entrance. Several shoal spots with depths of 24 to 28 feet are from 1.4 to 2.4 miles north of Lorain Harbor Light.

(478)

Bridges

(479) Erie Avenue bridge, about 0.6 mile above the mouth of Black River, has a bascule span with a clearance of 33 feet at the center. Norfolk Southern Railway bridge, 1.2 miles above the mouth, has a vertical lift span with clearances of 35 feet down and 123 feet up. The 21st Street bridge, 2 miles above the mouth, has a fixed span with a clearance of 97 feet. An overhead power cable on the east side of the bridge has a clearance of 120 feet. (See **33 CFR 117.1** through **117.59** and **117.850**, Chapter 2, for drawbridge regulations.)

(480)

Towage

(481) Tugs for Lorain are available from Cleveland. (See Towage under Cleveland.)

(482)

Quarantine, customs, immigration, and agricultural quarantine

(483) (See Chapter 3, Vessel Arrival Inspections, and appendix for addresses.)

(484) **Quarantine** is enforced in accordance with the regulations of the U.S. Public Health Service. (See Public Health Service, Chapter 1.)

(485) Lorain is a **customs station.**

(486)

Coast Guard

(487) Lorain Coast Guard Station is on the east side of the Black River just inside the mouth.

(488)

Harbor regulations

(489) A **speed limit** of 6 mph (5.2 knots) is enforced in the harbor except in the outer harbor where it is 10 mph (8.7 knots). (See **33 CFR 162.160** and **207.570**, Chapter 2, for regulations.)

(490) Local harbor regulations are established by the City of Lorain. Information may be obtained by contacting the Lorain Port Authority, 319 Black River Lane, Lorain, OH 44052, telephone: 440–204–2269.

(491)

Wharves

(492) Lorain has piers and wharves in the southwest part of the outer harbor and along both sides of the Black River; only the deep-draft facilities are described. The alongside depths given for the facilities described are reported depths; for the latest depths, contact the operator. All the facilities described have highway connections. Many have railroad, water and electrical shore-power connections. Special cargo handling equipment is described under the individual facilities. Many of the facilities are used for mooring vessels during the closed navigation season.

(493) **LTV Steel Co. Lorain Pellet Terminal Mooring Basin:** 0.1 mile west of the entrance to Black River; northeast face 1,090 feet berthing space; 20 to 23 feet alongside; southwest face 1,095 feet berthing space; 25 feet alongside; deck height, 8 feet; mooring of vessels awaiting berth at LTV Steel Corp., Lorain Pellet Terminal Wharf; owned and operated by LTV Steel Corp.

(494) **LTV Steel Corp. Lorain Pellet Terminal Wharf:** west side of the river 0.2 mile above the outer end of the west pier; 2,200 feet of berthing space; 27 feet alongside; deck height, 8 feet; open storage for 532,000 tons of ore; receipt and shipment of iron ore pellets; owned and operated by LTV Steel Corp.

(495) **USX Corp., Lorain Works, Slag Dock:** southwest side of the river 0.3 mile above the 21st Street bridge; 220 feet of berthing space with dolphins; 20 feet alongside; three front-end loaders; open storage for 30,000 tons of material; receipt of miscellaneous dry bulk materials and occasional shipment of crushed slag and coke breeze; owned and operated by USX Corp.

(496) **USX Corp., Lorain Works, Ore Dock:** south side of the river 0.6 mile above the 21st Street bridge; 2,490-foot face; 26 feet alongside; deck height, 10½ feet; traveling of bridge crane; conveyor belt capacity 5,000 tons per hour; three front-end loaders; open storage for 3 million tons of iron ore and 310,000 tons of limestone; receipt of iron ore and limestone; owned and operated by USX Corp.

(497) **Gold Bond Building Products, Lorain Plant Wharf:** east side of the river about 0.3 mile above the 21st Street bridge; 750 feet of berthing space with dolphins; 20 feet alongside; deck height, 7 feet; open storage for 120,000 tons of gypsum rock; receipt of gypsum rock; owned and operated by Gold Bond Building Products, Division of National Gypsum Co.

(498) **Jonick Dock and Terminal Wharf:** east side of river 0.2 mile above the Norfolk Southern Railway bridge; 300 feet berthing space with dolphins; 27 feet alongside; deck height, 5 feet; covered storage for 40,000 tons of bulk material, open storage for 12,000 tons of material; receipt of crushed stone, occasional receipt of miscellaneous bulk materials; owned and operated by Jonick & Co.

(499) **Terminal Ready-Mix Dock:** north side of the river above the Norfolk Southern Railway bridge; 150-foot face; 500-foot natural bank; 10 to 25 feet alongside; deck height, 5 feet; open storage for 50,000 tons of sand and stone; receipt of sand and stone; owned by Ethel Falbo and operated by Terminal Ready-Mix, Inc.

(500)

Supplies

(501) Bunker C oil is available by tank barge, and diesel oil is available by truck from local companies. Provisions and marine supplies are available on the north side of the Black River just east of the Erie Avenue bridge.

(502)

Small-craft facilities

(503) Marinas in Lorain Harbor are in the outer harbor east of the river mouth, on the north side of the river just inside the mouth, on the east side of the river just upstream of the Erie Avenue bridge and further upstream on the north side, just past the railroad bridge. These marinas can provide transient berths, gasoline, diesel fuel, water, ice, pump-out facilities, launching ramps, winter storage, marine supplies, and hull, engine, and electrical repairs. A 50-ton marine lift is available at the marina on the east side of the river, just upstream of the Erie Avenue bridge.

(504)

Communications

(505) Lorain has highway connections and is served by Class I railroads. Lorain County Airport is south of the city.

(506)

ENCs - US6OH01M, US4OH01M, US5OH01M, US5O-

H1AM, US4OH04M
Charts - 14826, 14829

(507) From Lorain, the shoreline trends southwest for about 4 miles to Beaver Creek, thence 6 miles west to Vermilion. Throughout this stretch, deep water is about 0.9 mile offshore.

(508) **Beaver Creek**, about 4 miles southwest of Lorain Harbor, has a small-craft harbor and summer resort at the mouth. The channel leads south between a pier and a breakwater at the mouth of the river. The entrance is marked by private lights.

(509) A bar that forms across the entrance reportedly washes out during the spring and after some storms, and restricts the harbor to small craft with shallow drafts. The fixed bridges and cables that cross the creek about 0.3 mile above the mouth have a minimum clearance of 9 feet. Several other overhead cables with unknown clearances cross the creek and the marina slips upstream. This harbor is within the legal boundary of the city of Lorain, and the local harbor regulations of Lorain apply.

(510) A marina inside the mouth of the creek has transient berths, gasoline, diesel fuel by truck, water, electricity, and a 30-ton travel lift for hull and engine repairs. For craft that can navigate under the bridges, two marinas upstream can provide gasoline, transient berths, electricity, ice, marine supplies, pump-out facilities, launching ramps and full repairs .

(511)

ENCs - US6OH01M, US4OH01M, US5OH01M, US5OH1AM, US4MI11M, US5MI11M
Charts - 14826, 14830

(512) **Vermilion**, about 35 miles west of Cleveland, has a harbor used mainly by recreational small-craft. The harbor includes the approach channel from the lake and the lower 0.7 mile of the **Vermilion River**. A prominent, lighted tank with the name *Vermilion Sailors* on two sides is about 0.6 mile south-southeast of the river entrance.

(513) An unmarked **dumping ground** with a least reported depth of 32 feet is about 2.3 miles north of the entrance to Vermilion River.

(514)

Channels

(515) The approach to the river from Lake Erie is through two dredged channels that lead around either end of a detached breakwater, join, and lead south between two piers at the mouth of the river. The channel leads upstream for about 0.6 mile to the Liberty Avenue bridge. Lights mark the ends and center of the breakwater and the ends of the piers. (See Notice to Mariners and latest editions of charts for controlling depths.)

(516)

Dangers

(517) Just south of the dumping ground, several fish net stakes are in about 32 feet of water. A 6-foot shoal, is about 0.4 mile west of the west approach channel.

(518)

Bridges

(519) The Liberty Avenue bridge, 0.7 mile above the pierheads, has a fixed span with a clearance of 12 feet. The Norfolk Southern Railroad bridge 0.8 mile above the pierheads, has a fixed span with a clearance of 21 feet. A second Norfolk Southern Railway bridge, 1.0 mile above the pierheads, has a fixed span with a reported clearance of 14 feet. Several overhead cables with unknown clearances cross the river in the vicinity of these bridges.

(520)

Harbor Regulations

(521) A **speed limit** of 6 mph (5.2 knots) is enforced in the harbor. (See **33 CFR 162.160**and **207.565**, Chapter 2, for regulations.)

(522)

Small-craft facilities

(523) The City of Vermilion Port Authority operates the Water Works Public Guest Docks at the Water Treatment Plant on the west side of the river, opposite the entrance to Superior Lagoon. The Port Authority also maintains a public launching ramp just above the Norfolk Southern Railroad bridge. Several private marinas are on either side of the Liberty Avenue bridge and can provide transient berths, gasoline, diesel fuel, water, ice, pump□out, electricity, launch ramps and marine supplies. Several of these marinas also have lifts/hoists and mechanics available.

(524) All of Vermilions large marinas, numbering well over 1,000 berths, are above the Liberty Avenue bridge. The vertical clearance of the Liberty Avenue bridge prevents sailboats and larger powerboats from navigating above it. Mariners requiring a variety of services should not rule out using the services of these marinas despite the bridge height restriction.

(525)

ENCs - US4MI11M, US5MI11M
Chart - 14830

(526) From Vermilion, the shoreline extends southwest for about 7.3 miles to the southernmost point of Lake Erie. Along this stretch, rocky shallows extend 1 mile offshore with deep water as much as 1.5 miles off. Thence northwest for 3.4 miles to Huron Harbor, deep water is about 1 mile offshore except just east of Huron Harbor. An unmarked 13-foot spot is near the outer end of a shoal that extends 1.5 miles into the lake east-northeast of the Huron Harbor entrance channel.

(537)

Structures across Huron River

Name•Description•Type	Location	Miles*	Clear Width of Draw or Span Opening (feet)	Clear Height above Low Water Datum (feet)	Information
Overhead telephone cables	41°23'24"N., 82°33'12"W.	0.72		70	
Cleveland Road East Bridge (fixed)	41°23'23"N., 82°33'11"W.	0.73	86	21	
Overhead cable	41°23'22"N., 82°33'11"W.	0.73		52	
Overhead power cable	41°23'21"N., 82°33'11"W.	0.77		50	
Norfolk Southern Railroad Bridge (fixed)	41°23'20"N., 82°33'11"W.	0.79	57 (right) 57 (left)	19	
Overhead power cable	41°23'20"N., 82°33'11"W.	0.79		50	

(527)

ENCs - US4MI11M, US5MI11M, US6OH09M
Charts - 14830, 14843

(528) **Huron Harbor** is about 44 miles west of Cleveland inside the mouth of the **Huron River** at the city of **Huron, OH.**

(529) Grain, iron ore, and limestone are the principal commodities handled at the port.

(530) An unmarked **dumping ground** with a least reported depth of 35 feet is 3 miles north of the entrance to Huron Harbor.

(531)

Prominent features

(532) The stacks of the Huron Lime Co. on the east side of the river mouth are prominent.

(533) **Huron Harbor Light** (41°24'16"N., 82°32'38"W.), 80 feet above the water, is shown from a square pyramidal tower on the west pierhead. A mariner activated sound signal is at the light, initiated by keying the microphone five times on VHF-FM channel 83A.

(534)

Channels

(535) The harbor is entered through a dredged channel that leads southwest from deep water in Lake Erie between a pier and an adjacent disposal area on the northwest side, and a breakwater on the southeast side to the mouth of the Huron River. The channel leads into the river to a turning basin with its upper end about 0.4 mile above the mouth. Buoys mark the entrance channel, and lights mark the outer end of the pier and breakwater and each side of the river mouth. Federal project depths are 29 feet in the entrance channel to the inner end of the west pier, thence 28 feet to the turning basin, thence 27 feet in the east half of the basin and 21 feet in the west half of the basin. (See Notice to Mariners and latest editions of charts for controlling depths.) Huron River is navigable by small craft for about 10 miles above the mouth.

(536) A semicircular diked disposal area is on the west side of the west pier.

(538)

Dangers

(539) An extensive area of fish net stakes is off the entrance to Huron Harbor.

(540)

Towage

(541) Tugs for Huron are available from Cleveland. (See Towage under Cleveland.)

(542)

Quarantine, customs, immigration, and agricultural quarantine

(543) (See Chapter 3, Vessel Arrival Inspections, and appendix for addresses.)

(544) **Quarantine** is enforced in accordance with the regulations of the U.S. Public Health Service. (See Public Health Service, Chapter 1.)

(545) Huron is within the Sandusky **customs port of entry.**

(546)

Harbor Regulations

(547) A **speed limit** of 6 mph (5.2 knots) is enforced in the harbor except in the outer harbor where the speed limit is 10 mph (8.7 knots). (See **33 CFR 162.155** and **207.570**, Chapter 2, for regulations.)

(548) Local harbor regulations are established by the city of Huron and enforced by local law enforcement officials. Copies of the regulations may be obtained from the City Manager, 417 Main Street, Huron, OH 44839.

(549)

Wharves

(550) **Huron Lime Co., Stone Dock**: east side of the river mouth and the outer east side of Slip No. 1; total of 1,100 feet of berthing space; 28 to 24 feet alongside channel face, 24 to 16 feet alongside curved section, 16 to 17 feet along east side of Slip No. 1; deck height, 8 feet; one front-end loader; open storage for 120,000 tons of limestone; silos for 1,800 tons of lime; receipt of limestone; owned by Norfolk Southern Railway Co. and operated by Huron Lime Co. During the closed navigation season, vessels moor in Slip No. 1. There are highway and rail connections and special arrangements can be made for electrical connections.

(551)

Supplies

(552) Marine supplies are available in the city. Diesel fuel and provisions are available by truck from Sandusky.

(553)

Small-craft facilities

(554) Huron Boat Basin has its entrance just southwest of the turning basin and can provide transient berths, gasoline, electricity, water and ice. A public boat ramp is on the east side of the river just below the Cleveland Road bridge. Numerous additional small-craft facilities are on the west side of the lower mile of the Huron River. Several of the facilities can provide transient berths, gasoline, water, ice, electricity, pump-out facilities, marine supplies, and launching ramps; lifts to 20 tons and full repairs are available.

(555)

Communications

(556) Huron has highway connections and is served by Class I railroads.

(557)

ENCs - US4MI11M, US5MI11M
Chart - 14830

(558) From Huron, the wooded shoreline trends northwest for 9.7 miles to **Cedar Point** (41°29'30"N., 82°41'18"W.), the southeast entrance point to Sandusky Bay. In this stretch, deep water is about 0.9 to 1.2 miles off except at Cedar Point where the shallow depths widen to 1.5 miles.

(559)

ENCs - US4MI11M, US5MI11M, US5OH10M, US6OH08M, US6OH1AM, US4OH08M, US5OH08M, US5OH12M
Charts - 14830, 14844, 14842, 14845

(560) **Sandusky Harbor**, serving the city of **Sandusky, OH,** is in the southeast part of Sandusky Bay about 50 miles west of Cleveland. The harbor is a major shipping point for coal. Sand, gypsum, and fish are also handled. The harbor is an excellent natural harbor of refuge for small craft.

(561) An unmarked **dumping ground** with a least reported depth of 30 feet is 2.7 miles north of Sandusky Harbor entrance channel.

(562)

Prominent features

(563) A large amusement park on Cedar Point, brightly lighted at night, is conspicuous and the Erie County Courthouse lighted clock tower in the city is prominent.

(564) **Sandusky Harbor Breakwater Light** (41°29'57"N., 82°40'29"W.) 30 feet above the water, is shown from a white cylindrical tower with a green band on the outer end of the jetty that extends northeast from Cedar Point. A mariner radio activated sound signal is at the light, initiated by keying the microphone five times on VHF-FM channel 83A.

(565)

Channels

(566) The harbor is entered from Lake Erie through a dredged entrance channel that leads southwest from deep water in the lake along the northwest side of a jetty extending northeast from Cedar Point. Inside Cedar Point, the channel turns south-southwest across Sandusky Bay. About midway across the bay, the channel divides with the deeper channel leading west then south along a deep-draft wharf to a turning basin at the southwest corner of the harbor. The shallower channel continues south-southwest to a channel leading west along the Sandusky docks to the turning basin. (See Notice to Mariners and latest edition of charts for controlling depths.)

(567) The dredged channels are marked by lighted and unlighted buoys and lighted ranges. The lighted clock tower of the Erie County Courthouse is prominent on the line of **017.1°** Inner Range which marks Upper and Lower Straight Channels.

(568) It is the recommendation of the Lake Carriers' Association that, at the junction of the straight channel and the bay channel, the master of an outbound vessel should slow down if necessary to avoid meeting vessels at the intersection. This recommendation should not be construed as relieving the inbound vessel of the obligation to exercise due caution in approaching the intersection.

(569)

Anchorages

(570) A special anchorage is in a basin on the east side of Sandusky Bay about 1.3 miles southeast of the entrance. (See **33 CFR 110.1** and **110.83a**, Chapter 2, for limits and regulations.)

(571) **Danger**.—In 1977, it was reported that the jetty extending northeast from Cedar Point is partially submerged during periodic high water conditions.

(572) **Caution**.—A submarine cable crosses the inner end of Moseley Channel; vessels are cautioned not to drag anchor in this area.

(573) **Fluctuations of water level**.—In addition to the fluctuations of level that affect Lake Erie somewhat uniformly, strong winds produce abnormal fluctuations in Sandusky Bay. In combination with prevailing high or low water, these abnormal fluctuations may reach a maximum effect of 6 feet above or 2½ feet below Low Water Datum.

(574)

Towage

(575) Tugs for Sandusky are available from Cleveland or Toledo. (See Towage under Cleveland and Toledo.)

(576)

Quarantine, customs, immigration, and agricultural quarantine

(577) (See Chapter 3, Vessel Arrival Inspections, and appendix for addresses.)

(578) **Quarantine** is enforced in accordance with the regulations of the U.S. Public Health Service. (See Public Health Service, Chapter 1.)

(579) Sandusky is a **customs port of entry.**

(580)

Coast Guard

(581) Search and rescue functions for Sandusky Harbor are handled by Marblehead Coast Guard Station, 4 miles northwest of Cedar Point.

(582)

Harbor Regulations

(583) A **speed limit** of 10 mph (8.7 knots) is enforced in Sandusky Harbor. (See **33 CFR 162.155** and **207.560**, Chapter 2, for regulations.)

(584)

Wharves

(585) There are three docks in Sandusky that ship and/or receiving commodities. The alongside depths given are reported depths (for latest depths, contact the operator.) Rail service is only available at the Sandusky Dock Corp. Pier.

(586) **Geo. Gradel Co., Sandusky Sand Dock** (41°27'26"N., 82°43'15"W.): 638 feet of berthing space with 13 feet alongside and a deck height of 6 feet; three diesel-crawler cranes to 60 tons and open storage for 30,000 tons of material; receipt of sand and aggregate; owned and operated by Geo. Gradel Co.

(587) **Geo. Gradel Co., Sandusky Salt Dock** (41°27'26"N., 82°43'15"W.): 150 feet of berthing space with 16 feet alongside and a deck height of 3 feet; four front-end loaders and open storage for 110,000 tons of material; receipt of salt; owned and operated by Geo. Gradel Co.

(588) **Sandusky Dock Corp. Pier No. 3** (41°27'33"N., 82°43'53"W.); 3,495 feet of berthing space with 26 feet alongside and a deck height of 12 feet; one fixed car-dumper with hinged hopper pan and telescoping chute serves belt conveyors extending to open storage area; open storage for 875,000 tons of material and three concrete silos with a capacity for 10,500 tons; shipment of coal; owned by Norfolk Southern and operated by Sandusky Dock Corp.

(589)

Supplies

(590) Deep-draft vessels do not normally obtain provisions at Sandusky. Vessels are supplied with bunker at Lower Lake Dock Co., Pier No. 3.

(591)

Small-craft facilities

(592) There are several marinas in Sandusky Harbor. Two of the larger marinas are on the west side of Cedar Point and at the east end of the Sandusky waterfront. These marinas can provide gasoline, diesel fuel, water, ice, electricity, pump-out facilities, marine supplies, full repairs, travel lifts to 50-tons and launching ramps. Other facilities are along the Sandusky waterfront.

(593) In the southeast part of Sandusky Bay, a privately dredged and marked channel leads to Pipe Creek. Marinas on the both sides of the creek can provide transient berths, gasoline, diesel fuel, electricity, water, launching ramps, pump-out facility and marine supplies. Marine lifts to 30 tons and marine railways to 100 tons are available for full repairs. In 2014, the approach to the facilities had a reported depth of 5 feet. The highway bridge over the channel entrance has a 38-foot fixed span with a clearance of 21 feet. The channel is bordered on the west side by diked wetland areas.

(594)

Communications

(595) Sandusky has good highway connections and is served by Class I railroads. A small airport is southeast of the city. Ferry service connects Sandusky with Kelleys Island and South Bass Island.

(596)

ENCs - US4MI11M, US5MI11M, US5OH10M, US6OH08M, US6OH1AM, US4OH08M, US5OH08M
Charts - 14830, 14844, 14842

(597) **Sandusky Bay** extends west from its entrance between Cedar Point and Bay Point for about 15 miles to **Muddy Creek Bay**. **Sandusky River** flows into the south side of Muddy Creek Bay. Small craft can navigate through Sandusky Bay, Muddy Creek Bay, and upstream in the Sandusky River for about 15 miles to the Norfolk Southern Railway Bridge at the town of **Fremont, OH.** Depths of about 5 feet can be carried through Sandusky Bay, thence 2 to 4 feet through Muddy Creek Bay, and thence 2 to 19 feet in the river. The channels through the bays are indefinite and not marked. A submerged dike extends into Muddy Creek Bay from the west side of the Sandusky River mouth and a dike, marked by daybeacons, is on the east side of the mouth; caution is advised.

(598) In 1985 and 1987, submerged obstructions were reported at the mouth of the river in about 41°27'01"N., 82°59'57"W. and 41°26'59"N., 83°00'02"W., respectively.

(599) From **Martin Point**, about midlength of the south shore of Sandusky Bay, two bridges cross to Danbury, OH on the north shore. The east bridge is a railroad bridge with the main draw having a bascule span with a clearance of 9 feet and three fixed spans having a maximum clearance of 8½ feet. The bascule span is remotely operated and can be contacted at 419–254–1539. The bridge has been filled solid in various places, causing strong currents to flow through the openings; caution is advised. Caution is also advised because of piles that bare near the bridge. An overhead power cable west of the railroad bridge has a clearance of 62 feet through the main navigation opening, which is marked by lights, and 32 feet through the other openings. The west bridge is the Ohio Route 2 highway bridge, a fixed span with a clearance of 43 feet. (See **33 CFR 117.1** through **117.59** and **117.853**, Chapter 2, for drawbridge regulations.)

(600) The Ohio Turnpike I-80 and I-90 Bridge crossing the Sandusky River about 9 miles above the mouth has twin fixed spans with clearances of 40 feet. The Ohio Route 20 bridge about 13.5 miles above the mouth has a fixed span with a clearance of 53 feet. The Norfolk Southern

Railway bridges that cross the river on either side of Bradys Island at the head of navigation at Fremont have fixed spans with clearances of 24 feet. Overhead cables crossing the navigable part of the river have a minimum clearance of 36 feet.

(601) A submerged breakwater off the south shore of Sandusky Bay 3.6 miles southwest of Martin Point is marked by private lighted buoys. In 1987, a sunken wreck was reported about 2 miles west-northwest of Martin Point in about 41°28'34"N., 82°51'57"W. A sunken wreck, covered ½ foot, is off the north shore of the bay 3.9 miles west-northwest of Martin Point.

(602) **Johnson Island**, in the northeast corner of Sandusky Bay west of Bay Point, is connected to the north shore of the bay by a causeway having five openings. Each opening has a horizontal clearance of 50 feet with the center opening having a vertical clearance of 29 feet and each of the others 8 feet.

(603) From the Sandusky Harbor entrance channel north to Point Marblehead, there are several offlying shoal spots. **Bay Point Shoal,** with a least depth of 4 feet, is 1 mile east of Bay Point and is marked on the east side by a lighted buoy. A submerged rock is close to shore in about 41°31'13"N., 82°43'02"W. Shoal spots with depths of 22 to 24 feet are from 1.5 to 3 miles east of Point Marblehead and 1.7 to 2.7 miles north of Sandusky Harbor Breakwater Light.

(604) An unmarked **dumping ground** with a least reported depth of 30 feet is 3 miles east of Point Marblehead. Between Point Marblehead and the dumping ground, south to the Sandusky Bay entrance, are numerous submerged fish net stakes.

(605) **Point Marblehead** (41°32'10"N., 82°42'42"W.), marked by a light, is the east extremity of the peninsula that encloses the north side of Sandusky Bay.

(606) About 1 mile west-northwest of Point Marblehead are the Marblehead Stone Docks, two piers owned and operated by Lafarge North America. The west pier extends 800 feet into the lake and has depths of 26 to 15 feet along the outer 500 feet of the west side with a deck height of 8 feet. A mobile shuttle loads limestone into vessels at a rate of 2,000 tons per hour. The east side of the west pier and the west side of the east pier are used for loading barges. A prominent overhead conveyor, lighted at night, extends from the piers inland to the quarry.

(607) **Marblehead Coast Guard Station** is close west of Marblehead Stone Docks. A small sheltered basin at the station has depths of 8 feet decreasing to 6 feet at the edges.

(608) Automobile and passenger ferry services to Kelleys Island are available from a dock just west of the Coast Guard station.

(609) **Catawba Island** (41°35'N., 82°50'W.), west of Point Marblehead, juts north from the peninsula on the north side of Sandusky Bay and terminates in **Scott Point. Mouse Island,** useful as a radar target, is a small island on the shoal bank about 0.2 mile north of Scott Point. In the bight between Point Marblehead and Mouse Island, the depths are 18 feet about 1.3 miles off and shoal toward shore. The bottom is rock and boulder strewn. **Middle Harbor Shoal,** with a least depth of 2 feet, is marked on the north side by a lighted buoy about 2.4 miles southeast of Mouse Island. A shoal bank with depths of 9 feet is 1.8 miles southeast of Mouse Island. Within the bight are the facilities at Lakeside, East Harbor, and West Harbor.

(610) A lighted microwave tower is prominent 2 to 3 miles offshore of Catawba Island.

(611) At **Lakeside, OH,** about 2.2 miles west-northwest of Point Marblehead, a dock extends offshore about 600 feet into depths of 10 feet. Several smaller docks to the west extend into lesser depths. Berths with electricity, gasoline, water, marine supplies, sewage pump-out, and hull and engine repairs are available for small craft.

(612) Marblehead-Lakeside is a **customs station.**

(613) **East Harbor**, 3.9 miles west of Point Marblehead, is a shallow bay with an entrance channel between two parallel piers marked on the outer ends by private lights. The north shore of the harbor is a State park and recreation area, and the waters in the harbor are a public fishing area and game refuge. Numerous small-craft facilities are on the south side of the bay and east of the entrance channel.

(614) **West Harbor**is entered 2.5 miles northwest of East Harbor through two entrance channels. The northwest entrance channel is privately maintained and leads to a large small-craft harbor. The entrance is protected by jetties marked by lights at their outer ends. In 1993, the reported controlling depth was 5 feet with 3 to 6 feet in the harbor. A fixed highway bridge at the head of the harbor has a reported clearance of 20 feet. Beyond the bridge, a dredged inner channel leads southeast through West Harbor for about 1.3 miles to the head of the project. The southeast entrance is protected by converging jetties marked at their outer ends by lights. A dredged channel, marked by lights, buoys, and daybeacons, leads between the jetties and into the harbor to the inner channel within the harbor.

(615) There are several small-craft facilities in West Harbor. Supplies and services available include gasoline, diesel fuel, water, ice, electricity, pump-out facilities, marine supplies, launching ramps, marine lifts to 50 tons and full repairs (engine, hull, electrical) can be made. Depths of 3 to 8 feet are available alongside the docks.

(616) Just west of Scott Point is the mainland terminus of the automobile and passenger ferry line operating to the islands north of Catawba Island. A depth of about 11 feet is at the outer face of the dock. Catawba State Park is on the west side of Catawba Island. A light marks the outer end of the park pier.

(617) Just southeast of the State park pier, a pier marked at the outer end by a private light protects the southwest side of the entrance to a small-craft basin. The entrance channel has depths of about 5 feet with 5 feet at the berths on the west side of the harbor and 3 feet at the berths on the east side. Gasoline, diesel fuel, water, ice, electricity,

marine supplies, and hoists to 40 tons for hull, engine, and minor electronic repairs are available.

(618)

ENCs - US4MI11M, US5MI11M, US5OH10M, US6OH08M, US6OH1AM, US4OH08M, US5OH08M, US6MI07M, US6OH07M, US5MI07M, US5OH07M, US5OH1BM

Charts - 14830, 14844, 14842, 14846

(619) **Perry Cove**, between Catawba Island and the rounding projection of **Locust Point** (41°36'N., 83°05'W.), is a broad open bight with depths less than 24 feet. The Portage River empties into the south side of the bight. A large shallow bank with depths less than 14 feet extends about 5.5 miles north and northeast off Locust Point. A least depth of 2 feet, marked on the east side by a buoy, is about 4.7 miles northeast of the point, and there are scattered patches of 3 to 10 feet elsewhere. **Niagara Reef,** a detached shoal with a least depth of 3 feet, is 6.8 miles northeast of the point and is marked on the north side by a lighted buoy. Strangers should not attempt passage south of Niagara Reef.

(620) **Port Clinton, OH**, is at the mouth of the **Portage River**, about 29 miles southeast of Toledo Harbor entrance. The river enters the lake at the south end of Perry Cove. Perry Cove is quite shoal, with depths ranging from 6 feet off the end of the piers to 18 feet about 3.3 miles from shore. A lighted relay tower in the city near the inner end of the entrance channel is prominent.

(621)

Channels

(622) The harbor is entered through a dredged entrance channel leading from deep water in Lake Erie between two parallel piers upstream in Portage River for about 0.4 mile to the Monroe Street highway bridge. Lights mark the outer ends of the piers. The channel lakeward of the piers is subject to shoaling.

(623)

Bridges

(624) The Monroe Street highway bridge, 0.4 mile above the river mouth, has a bascule span with a clearance of 9 feet. An overhead cable 0.1 mile above the bridge has a clearance of 83 feet. The Norfolk Southern Railroad bridge 1.5 miles above the mouth has a roller-lift span with a clearance of 13 feet. (See **33 CFR 117.1** through **117.59** and **117.851**, Chapter 2, for drawbridge regulations.) The State Route 2 bridge, 3 miles above the mouth, has a fixed span with a clearance of 30 feet.

(625)

Harbor regulations

(626) A **speed limit** of 4 mph (3.5 knots) is enforced in the harbor by the city of Port Clinton.

(627)

Wharves

(628) Along the south side of the Portage River, Port Clinton Fisheries receives fish at Fisherman's Wharf near the City Dock. Ferry service is also available to South Bass Island (Put-In-Bay) on the south side of the river.

(629)

Small-craft facilities

(630) Above the Monroe Street bridge, several marinas provide transient berths, gasoline, diesel fuel, water, ice, electricity, sewage pump-out, and marine supplies. Hoists to 50 tons and a 100-ton marine railway are available for hull, engine, and electronic repairs. A marina on the lakefront about 2 miles west-northwest of Port Clinton has transient berths available and can provide gasoline, diesel fuel, water, ice, electricity and sewage pump-out. The marina also has a 36-ton marine lift and hull, engine, and electronic repairs can be made.

(631)

ENCs - US4MI11M, US5MI11M, US6MI07M, US6OH07M, US5MI07M, US5OH07M, US5OH1BM

Charts - 14830, 14846

(632) About 4 miles west of Port Clinton, a **danger zone** for small arms and artillery firing extends 6.5 miles northeast, 10 miles north, and 12 miles northwest from **Camp Perry.** (See **33 CFR 334.850**, Chapter 2, for limits and regulations.) A jetty extends from the shore at Camp Perry to a pier about 1,000 feet offshore.

(633) **Toussaint River** is entered about 8 miles northwest of Port Clinton on the east side of Locust Point through an entrance channel that crosses a bar. The channel is marked by seasonal buoys. The buoys are uncharted as they are frequently shifted in position to mark the best water. Mariners should use caution and seek local knowledge before navigating the entrance channel.

(634) An overhead power cable with a reported clearance of 65 feet crosses the river about 1.4 miles above the mouth. A marina is about 1.6 miles above the mouth and can provide transient berths, gasoline, water, ice sewage pump-out facilities, and launching ramps are available.

(635) The cooling tower of the Davis-Besse Nuclear Power Station is prominent northwest of the mouth of the Toussaint River.

(636) A **security zone** has been established in the waters off Locust Point, just northwest of the Toussaint River mouth. (See **33 CFR 165.1** through **165.8**, **165.30** through **165.33**, and **165.915**, Chapter 2 for limits and regulations.)

(637) Between Locust Point and **Cedar Point,** 15 miles northwest, the 18-foot contour decreases from about 7 miles offshore at Locust Point to 2.5 miles at Reno Beach and then increases to 4.5 miles at Cedar Point. Several isolated 17-foot spots are beyond the 18-foot contour northeast of Cedar Point.

(638) **Long Beach**, a private harbor for small boats, is on the north side of Locust Point. A private **159°** lighted range marks the entrance to the basin.

(639) **Turtle Creek**, about 2.5 miles west of Locust Point, has two marinas at its mouth. In 1977, the reported controlling depth in the mouth of the creek was 1 to 2

feet. A seasonal, private light marks the outer end of the breakwater on the west side of the entrance. Numerous submerged piles are in the mouth of the creek. Caution is advised. Transient berths, gasoline, water, ice, launching ramps, and a 60-ton hoist are available.

(640) A highway bridge with a reported clearance of 10 feet crosses Turtle Creek just inside the entrance.

(641) **Ward Canal** is entered about 6 miles west-northwest of Turtle Creek. Two jetties protect the entrance channel. A light marks the outer end of the east jetty. In 1981, a sandbar was reported across the mouth of the canal. Caution is advised. Small-craft facilities are available in the canal.

(642) **Cooley Canal** is entered 2.9 miles northwest of Ward Canal. The breakwaters that protect the entrance channel are marked at the outer ends by lights. Facilities in the creek provide transient berths, gasoline, diesel fuel, water, ice, electricity, marine supplies, and launching ramps. Hoists to 75 tons are available for hull and engine repairs.

(643)

ENCs - US4MI11M, US5MI11M, US6MI07M, US6OH07M, US5MI07M, US5OH07M, US5OH1BM, US5OH31M

Charts - 14830, 14846, 14847

(644) **Maumee Bay** is a large shallow expanse forming the southwest corner of Lake Erie. The bay has prevailing depths of less than 10 feet and is obstructed by several dumping grounds. A dredged channel leads from deep water in Lake Erie southwest through the bay to the mouth of the Maumee River.

(645) **Toledo Harbor**, serving the city of **Toledo, OH,** is at the west extremity of Lake Erie. The harbor includes the lower 7 miles of the **Maumee River** and a channel about 18 miles long through Maumee Bay from deep water in Lake Erie to the mouth of the river. The principal cargoes handled at the port are coal, iron ore, grain, petroleum products, and general cargo.

(646)

Prominent features

(647) The TV towers south to southwest of Cedar Point and the stacks of the Consumers Power Company 6.6 miles west-northwest of Toledo Harbor Light are conspicuous in the approach to the harbor.

(648) **Toledo Harbor Light** (41°45'43"N., 83°19'44"W.), 72 feet above the water, is shown from the northwest side of the entrance channel about 8.5 miles northeast of the river mouth; a seasonal sound signal is at the light. Maumee Bay Entrance Light 2, about 8 miles northeast of Toledo Harbor Light, is equipped with racon and a sound signal.

(649)

Channels

(650) A dredged entrance channel, marked by buoys, lights, and a **237.6°** lighted range, leads southwest for about 18 miles from deep water in Lake Erie through the shallow water of Maumee Bay to the mouth of Maumee River, thence upstream for about 7 miles. Maumee Mooring Basin is on the northwest side of the channel at the mouth of the river, and turning basins are 2.7, 6.3, and 7 miles above the mouth. Refer to Notice to Mariners and the latest edition of the chart for controlling depths.

(651) <Deleted Paragraph>

(652) No distinct bars form in the dredged channel, which is, however, subject to considerable fill along the south sides each year. Depths in Maumee Bay outside of the improved channel are less than 10 feet, and navigation is possible for small boats only. In the lake, dredge operations have thrown up a ridge of earth along the edges of the channel. This ridge may rise as much as 3 feet above the natural lake bottom.

(653) Upstream of the dredged channel in the Maumee River, the channels are irregular and of uncertain depths, with numerous shoals and rock bars. Boats with local knowledge drawing less than 5 feet can usually pass as far as **Perrysburg, OH,** about 7 miles above Toledo.

(654)

Fluctuations of water level

(655) In addition to the fluctuations that affect Lake Erie somewhat uniformly, sudden abnormal changes due to wind frequently occur at this port. The observed wind-produced fluctuations, in combination with prevailing high or low water, range between extremes of 8 feet above and 7 feet below Low Water Datum. northeast winds can increase water levels as quickly as 2 feet in 1 hour. Ice jams near the mouth of Maumee River have raised the water in the river as high as 12 feet above Low Water Datum.

(656) Mariners are cautioned that when water levels are above Low Water Datum, bridge clearances are correspondingly reduced. The Toledo-Lucas County Port Authority, telephone, 419–243–8251, will measure the height of masts upon request.

(657) A NOAA water level gage house is near the west shoreline of the river adjacent to the Toledo Coast Guard Station. A submerged intake pipe extends about 300 feet riverward from the gage house. Mariners should avoid all movement of deep-draft vessels or the dragging of anchors in the vicinity of the water intake pipe.

(658) Upon request, the Toledo Coast Guard Station will broadcast water level information in the following format:

(659) "This is the U.S. Coast Guard Toledo Station. The National Ocean Service water level gage at this station now reads plus/minus inches above/below Low Water Datum. This is the U.S. Coast Guard Toledo Station. Out."

(660)

Currents

(661) The current in the Maumee River is about 1 mph.

(662) The Coast Guard reported a hazardous condition in 1994 at the ConRail bridge at Mile 5.76. Currents in excess of 2 knots were reported in the restricted channel

(666.0010)

CLIMATOLOGICAL DATA – TOLEDO, OHIO (41°35'N, 83°48'W) 669 feet (204 m)

WEATHER ELEMENTS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YEAR	YEARS OF RECORD
SEA LEVEL PRESSURE (station pressure reduced to sea level)														
Mean (millibars)	1019.3	1018.7	1016.6	1015.2	1015.7	1015.1	1016.0	1017.1	1018.4	1018.8	1018.0	1019.4	1017.4	41
TEMPERATURE (°F)														
Mean	23.3	26.1	36.3	48.3	59.2	68.3	72.7	70.7	63.3	51.8	40.1	28.6	49.2	41
Mean daily maximum	30.6	33.9	45.3	59.1	70.8	79.8	83.7	81.9	74.6	62.8	48.3	35.6	59.0	41
Mean daily minimum	15.6	17.8	26.7	37.0	47.1	56.3	61.1	59.1	51.5	40.4	31.5	21.1	38.9	41
Extreme (highest)	65	68	80	88	95	104	104	99	98	91	78	68	104	41
Extreme (lowest)	-20	-14	-6	8	25	32	40	34	26	15	2	-19	-20	41
RELATIVE HUMIDITY														
Average percentage	68.1	61.7	40.7	27.1	31.9	25.7	34.5	45.5	58.9	62.8	55.3	69.1	48.5	41
CLOUD COVER														
Percent of time clear	16.4	16.5	19.3	20.8	21.4	20.9	23.0	23.1	26.3	27.7	16.7	14.4	20.6	40
Percent of time scattered	12.6	13.3	13.8	15.9	19.8	25.2	29.7	28.1	22.1	17.5	12.7	11.2	18.5	40
Percent of time broken	13.4	15.8	15.2	19.0	22.2	25.3	24.3	23.4	21.5	18.4	16.7	13.3	19.1	40
Percent of time overcast	57.7	54.4	51.7	44.4	36.6	28.6	23.0	25.4	30.1	36.3	54.0	61.1	41.8	40
PRECIPITATION (inches)														
Mean amount	1.8	1.7	2.5	3.0	2.8	3.6	3.1	3.2	2.6	2.1	2.7	2.6	32.3	41
Greatest amount	4.6	5.3	5.7	6.1	5.1	8.4	6.7	8.4	8.1	5.5	6.8	6.8	40.8	41
Least amount	0.2	0.2	0.5	0.8	0.9	0.2	0.3	0.4	0.5	0.2	0.5	0.5	22.0	41
Maximum amount (24 hrs)	1.5	2.5	2.6	2.8	1.6	3.1	4.3	2.4	3.3	2.8	2.7	3.5	4.3	41
Mean number of days	23	19	20	18	16	14	14	13	13	14	18	23	205	41
SNOW														
Mean amount	9.6	8.2	6.1	1.6	0.0	0.0	0.0	0.0	T	0.1	2.9	8.2	36.8	41
Greatest amount	30.8	16.6	17.7	12.0	1.3	0.0	0.0	0.0	T	2.0	17.9	24.2	72.3	41
Least amount	0.7	0.5	T	0.0	0.0	0.0	0.0	0.0	0.0	0.0	T	0.9	19.3	41
Maximum amount (24 hrs)	10.2	7.7	9.4	6.5	0.8	0.0	0.0	0.0	T	1.8	7.1	13.9	10.2	41
Mean number of days	20	16	12	4	Miss	0	0	0	Miss	1	8	17	78	41
WIND														
Percentage with gales	0.01	0.00	0.02	0.00	0.00	0.00	0.01	0.00	0.00	0.00	0.01	0.01	0.30	40
Mean wind speed (knots)	9.6	9.3	9.7	9.6	8.4	7.3	6.5	6.2	6.7	7.8	9.0	9.1	8.2	40
Direction (percentage of observations)														
North	3.9	5.0	5.0	4.6	4.9	4.9	5.0	5.9	5.9	4.4	3.6	3.9	4.7	40
North Northeast	2.2	3.0	3.6	2.8	3.4	3.6	3.5	4.2	3.7	2.8	2.1	2.0	3.1	40
Northeast	3.0	4.5	4.4	4.3	4.9	4.5	3.8	3.8	3.5	2.7	2.5	2.7	3.7	40
East Northeast	4.1	7.7	10.7	9.3	9.6	7.3	5.2	4.7	5.2	4.8	3.7	3.8	6.3	40
East	3.5	4.3	6.8	7.0	7.1	5.4	4.5	3.8	4.9	3.9	3.4	4.1	4.9	40
East Southeast	2.5	2.7	3.5	3.7	4.2	3.5	2.9	3.3	3.8	2.8	2.9	3.1	3.2	40
Southeast	2.2	2.3	2.0	3.1	3.1	2.5	2.6	2.6	3.0	3.6	2.8	2.8	2.7	40
South Southeast	3.0	2.6	3.5	4.1	3.5	3.2	3.4	3.6	4.4	5.2	4.6	3.8	3.8	40
South	6.3	5.6	5.8	5.8	5.9	7.3	7.0	6.8	7.7	8.5	8.2	7.0	6.8	40
South Southwest	8.4	7.2	6.2	6.7	6.7	9.5	9.0	8.5	8.0	9.2	10.0	8.9	8.2	40
Southwest	14.0	10.3	7.8	9.0	9.3	11.5	11.9	11.6	10.3	12.0	13.4	14.7	11.3	40
West Southwest	19.2	13.9	9.8	9.7	9.6	9.9	11.2	10.9	8.7	10.4	15.0	15.9	12.0	40
West	9.7	9.0	8.5	7.6	6.1	6.7	6.8	6.3	5.9	6.8	8.6	8.6	7.5	40
West Northwest	6.8	7.5	8.9	7.8	7.0	5.9	6.0	5.5	6.3	6.8	6.6	6.5	6.8	40
Northwest	4.7	6.5	5.6	5.8	4.9	4.2	4.4	4.1	4.4	4.7	5.0	4.9	4.9	40
North Northwest	4.2	5.2	4.8	4.9	4.7	3.9	4.4	4.6	5.2	4.6	3.8	4.2	4.5	40
Calm	2.7	3.3	3.1	3.4	5.2	6.0	8.5	9.6	8.8	6.6	4.2	3.4	5.4	40
Direction (mean speed, knots)														
North	8.1	8.4	8.3	8.8	8.1	7.1	6.2	6.6	6.8	7.5	7.4	7.8	7.5	40
North Northeast	8.0	8.7	8.9	8.7	8.3	7.5	6.7	6.5	6.8	7.3	7.9	7.9	7.7	40
Northeast	10.7	10.2	10.0	9.8	8.8	7.6	7.6	7.5	7.6	8.3	8.9	9.1	8.8	40
East Northeast	9.6	9.8	10.3	9.7	8.8	7.8	6.9	7.1	7.3	7.8	7.9	8.5	8.7	40
East	7.6	7.4	8.6	9.0	7.9	7.2	6.6	6.1	6.5	6.8	7.4	7.6	7.5	40
East Southeast	7.3	7.3	7.8	7.8	7.3	6.6	6.2	6.2	6.1	6.4	7.2	7.4	7.0	40
Southeast	8.1	7.9	8.3	8.2	7.6	6.6	5.6	6.0	5.8	6.8	7.7	7.3	7.1	40
South Southeast	8.6	8.4	8.9	8.8	7.9	7.0	5.9	5.7	6.4	7.5	8.4	7.9	7.6	40
South	8.0	7.7	8.4	8.5	7.6	6.7	5.8	6.0	6.4	7.5	8.4	7.4	7.3	40
South Southwest	8.8	8.8	10.0	9.9	8.8	7.4	6.9	6.6	7.5	8.6	9.3	9.2	8.4	40
Southwest	10.1	9.9	11.2	10.9	9.7	8.1	7.4	7.1	8.0	9.1	10.1	9.8	9.2	40
West Southwest	11.3	10.8	10.9	11.0	10.0	8.3	7.6	7.1	7.6	9.3	10.9	11.0	9.9	40
West	11.1	105	10.9	11.3	9.7	8.6	7.7	7.0	7.8	9.2	10.4	10.6	9.7	40
West Northwest	10.7	10.8	11.4	11.4	9.8	9.7	8.4	7.9	8.7	9.5	10.3	10.2	10.0	40
Northwest	10.7	10.5	11.1	10.7	9.9	9.7	8.7	8.2	8.8	9.4	10.6	10.2	10.0	40
North Northwest	9.7	9.6	9.9	10.2	8.6	8.3	7.6	7.1	7.8	8.5	9.3	9.7	8.9	40
VISIBILITY														
Mean number of days with fog	13	11	14	12	12	11	14	18	15	13	14	15	162	41

T = trace (not measurable) amount of precipitation
Miss or blank is a missing value

(668)

Structures across Maumee River at Toledo

Name•Description•Type	Location	Miles*	Clear Width of Draw or Span Opening (feet)** Left	Center	Right	Clear Height above Low Water Datum (feet)	Information
Overhead power cable	41°41'03"N., 83°28'43"W.	0.92				154	
Overhead power cable	41°41'01"N., 83°28'52"W.	1.03				129	Clearance is 132 feet over the channel
Overhead power cable	41°41'00"N., 83°28'54"W.	1.06				146	
CSX Railroad Bridge (swing)	41°40'59"N., 83°28'54"W.	1.07	143		145	22	Note 2
Wheeling and Lake Erie Railroad Bridge	41°40'29"N., 83°29'23"W.	1.80	134		134	20	
Veterans Glass Memorial Bridge (fixed)	41°39'39"N., 83°30'41"W.	3.25		205		124	
Craig Memorial Bridge (bascule)	41°39'38"N., 83°30'43"W.	3.30		200		38	Clearance is 44 feet at the center
Overhead power cable	41°39'18"N., 83°31'29"W.	4.06				140	
Martin Luther King Jr. Memorial Bridge (bascule)	41°39'08"N., 83°31'39"W.	4.30		200		21	Clearance is 31 feet at the center
Anthony Wayne Bridge (fixed)	41°38'27"N., 83°32'00"W.	5.16		738		107	Note 1
Norfolk Southern Railroad Bridge (swing)	41°37'57"N., 83°31'51"W.	5.76	115		115	17	
Overhead power cable	41°37'56"N., 83°31'51"W.	5.76				105	
Michael DiSalle Bridge (fixed)	41°37'31"N., 83°32'31"W.	6.73	110		110	45	
CSX Railroad Bridge (swing)	41°34'51"N., 83°36'23"W.	11.38	110		110	53	
Overhead power cable	41°34'50"N., 83°36'24"W.	11.40				100	
Ohio Turnpike Bridges (fixed)	41°34'50"N., 83°36'25"W.	11.42	110		110	37	

* Miles above the mouth of the river
** Clear width proceeding upstream

See 33 CFR 117.1 through 117.59 and 117.855, chapter 2, for drawbridge regulations.

Note 1 – Bridge has a vertical clearance of 107 feet (32.6 meters) for a central channel width of 200 feet (60.9 meters), decreasing to 97 feet (29.6 meters) at the edges of the channel.
Note 2 – Mariners are requested to make initial calls to the CSX Railroad Bridge at Mile 1.07 over Maumee River at least 45 minutes prior to intended time of passage through the draw. A second call should be made when approximately 15 minutes from the bridge to help ensure timely opening. The bridgetender monitors VHF-FM channel 14.

at the bridge following heavy rains. The current appears to deflect off the east river bank causing a sheer towards the west bank. Caution is advised when transiting this area.

(663)

Weather, Toledo and vicinity

(664) Toledo, OH, located on the extreme southwest shore of Lake Erie and in the north-central part of the state, averages about 15 days each year with maximum temperatures in excess of 90°F (32.2°C). July is the warmest month with an average high of 84°F (28.9°C) and an average minimum of 61°F (16.1°C). January is the coolest month with an average high of 31°F (-0.6°C) and an average minimum of 16°F (-8.9°C). The highest temperature on record for Toledo is 104°F (40°C) recorded in July 1995 and the lowest temperature on record is -20°F (-28.9°C) recorded in January 1984. About 140 days each year sees temperatures below 32°F (0°C) and an average 16 days each year records temperatures below 5°F (-15°C). Every month has seen temperatures at or below 40°F (4.4°C) and every month except July and August has recorded temperatures below freezing (0°C).

(665) The average annual precipitation for Toledo is 32.4 inches (823 mm) which is fairly evenly distributed throughout the year. Precipitation falls on about 205 days each year. The wettest month is June with 3.6 inches (91 mm) and the driest, February, averages only 1.7 inches (43 mm). An average of 38 thunderstorm days occur each year with June and July being the most likely months. Snow falls on about 78 days each year and averages about 37 inches (940 mm) each year. December through February each average greater than eight inches (203 mm) per year while January averages 10 inches (254 mm). Greater than ten inch (254 mm) snowfalls in a 24-hour period have occurred in December and January and 14 inches (356 mm) fell in one 24-hour period during December 1974. About eight days each year has a snowfall total greater than 1.5 inches (38 mm) and snow has fallen in every month except June, July, and August. Fog is present on average 162 days each year and is evenly distributed throughout the year with a slight maximum in August and September.

(666) The prevailing wind direction in Toledo is the west-southwest. The winter months are the windiest period however a peak gust of 65 knots occurred in August 1988.

(667) <Deleted Paragraph>

(682)

Facilities in Toledo Harbor (Maumee River)

Name	Location	Berthing Space (feet)	Depths* (feet)	Deck Height (feet)	Storage	Purpose	Contact
CSX Toledo Lakefront Ore Docks, TORCO Slip No. 1	41°41'50"N., 83°26'55"W.	2,948	27	10	Open storage (923,000 tons of iron-ore pellets)	Reciept of iron-ore pellets by self-unloading vessel	TORCO, Inc. 419–698–8797
CSX Toledo Presque Isle Coal Docks, Slip No. 1	41°41'40"N., 83°27'30"W.	3,458	27	12	None	Shipment of coal and petroleum coke	CSX Transportation 419–697–2352
CSX Toledo Presque Isle Coal Docks, Slip No. 2	41°41'38"N., 83°27'39"W.	3,017	27	12	None	Occasional receipt of aggregate	CSX Transportation 419–697–2352
Toledo-Lucas County Port Authority Facility No. 1 Wharf	41°41'19"N., 83°28'08"W.	4,196	27	11	• Open storage (85 acres) • Four transit sheds • Eight storage tanks	Receipt and shipment of conventional and containerized general cargo and misc. dry bulk materials	Midwest Terminals of Toledo International, Inc. 419–897–6868
BP Oil Co. Toledo Refinery Marine Dock	41°40'50"N., 83°28'55"W.	1,108	20-21	7.5	21 steel storage tanks	Shipment and occasional receipt of petroleum products	BP Oil Co. 419–697–9005/4925
ARC Terminals Holdings LLC Toledo Wharf	41°40'31"N., 83°29'31"W.	527	18	10	Eight steel storage tanks	Receipt and shipment of petroleum products	Arc Terminals 419–726–9741
St. Marys Cement, Toledo Plant Dock	41°40'04"N., 83°29'47"W.	900	21	8	Two concrete silos	Receipt of bulk cement	Southdown Cement Co. 419–697–1141
Arms/Criscione Grain Co. Wharf	41°39'46"N., 83°30'40"W.	900	26	12	Storage buildings at rear and open storage area	Receipt of dry-bulk materials	Arms dock Co. and Criscione Grain Co. 419–243–8251
Sunoco Refining and Supply, Hocking Valley Pier Slip	41°39'34"N., 83°30'35"W.	1,836	18-27	12	31 steel storage tanks	• Occasional receipt of refinery feed stock • Shipment of fuel oil	Sunoco Inc. 419–698–6600
Lafarge North America	41°39'16"N., 83°31'38"W.	1,061	18-22	8	Eight concrete storage silos	Receipt of bulk cement by self-unloading vessel	Lafarge Corp. 419–241–5256
The Andersons Toledo Kuhlman Drive Terminal Wharf	41°37'52"N., 83°32'00"W.	1,100	27	9-15	16 concrete silos and five steel storage tanks	Receipt and shipment of grain and receipt of liquid and dry fertilizer	The Andersons, Inc. 419–241–8943
Kuhlman Corp., Upper Dock	41°37'40"N., 83°32'12"W.	340	28-32	10	Storage building and open storage area at rear	Receipt of dry bulk fertilizer, salt, stone and petroleum coke	Kuhlman Corp. 419–897–6000
The Andersons Toledo Edwin Drive Elevator Dock	41°37'38"N., 83°32'28"W.	730	28	8	Twelve concret silos	Shipment of grain	The Andersons, Inc. 419–461–4099
ADM/Countrymark Toledo Elevator Wharf	41°37'33"N., 83°31'59"W.	1,790	27	10	96 concrete silos	Shipment of grain	ADM/Countrymark, Inc. 419–691–5703

* The depths given above are reported. For information on the latest depths contact the port authorities or the private operators.

(669)

Towage

(670) Tugs to 2,200 and 1,400 hp are available from Gaelic Tugboat Co. or Great Lakes Towing Co., respectively. Arrangements for tugs are made through the companies' dispatchers at 419–243–8972 or 800–321–3663, respectively. Great Lakes Towing Co. has VHF-FM capability for tug arrangements. At least 3 hours advance notice is requested.

(671) Vessels proceeding upstream to the grain elevators near the head of the Federal project usually require the assistance of tugs, but vessels proceeding to the general cargo wharves below the bridges generally do not require assistance.

(672)

Quarantine, customs, immigration, and agricultural quarantine

(673) (See Chapter 3, Vessel Arrival Inspections, and appendix for addresses.)

(674) **Quarantine** is enforced in accordance with the regulations of the U.S. Public Health Service. (See Public Health Service, Chapter 1.)

(675) Toledo is a **customs port of entry.**

(676)

Coast Guard

(677) A Coast Guard Marine Safety Unit is at Toledo. (See Appendix A for address.) Toledo Coast Guard Station is on the northwest side of the mouth of the Maumee River.

(678)

Harbor regulations

(679) Speed limits are enforced in Maumee Bay and Maumee River. (See **33 CFR 162.150**, Chapter 2, for speed limits and regulations.) Local harbor regulations are established by the City of Toledo and may be obtained from City of Toledo, Division of Streets, Bridges and Harbor, 1189 West Central Avenue, Toledo, OH 43610.

(680)

Harbor Patrol

(681) The Toledo Harbor Patrol maintains an office adjacent to the Coast Guard station.

(683)

Wharves

(684) There are facilities at Toledo along both sides of the Maumee River. All the facilities listed in the facilities table have highway connections, and most have railway connections. Water and electrical shore-power connections are available at many of the piers, wharves, and docks. Many of the harbor facilities are used for mooring of vessels during the closed navigation season.

(685)

Supplies

(686) All types of marine supplies and provisions are available at Toledo. Water can be obtained at most berths. Bunker fuel is available by barge at most berths, by pipeline at refinery landings, and by truck at some wharves.

(687)

Repairs

(688) All types of above- and below-the-waterline repairs to hulls, boilers, engine and deck machinery, and electronic equipment can be made in the harbor. Toledo Shipyard has two drydocks on the east side of the river about 2.5 miles above the mouth. The largest has a length of 800 feet with widths of 100 feet at the top and 83 feet at the keel blocks. The depth over the sill is 14 feet. Hans Hansen Welding Co., on the west side of the river 2 miles above the mouth, has a 50-ton hoist that can handle 75-foot vessels. Merce Boiler and Welding Co. performs repairs to vessels at their berths.

(689)

Small-craft facilities

(690) Several marinas at Toledo provide transient berths, gasoline, diesel fuel, water, ice, electricity, sewage pump-out, marine supplies, and launching ramps. A 40-ton hoist is available for hull and engine repairs.

(691)

Communications

(692) Toledo is served by nine railroad lines and has good highway connections. Several airports are near the city.

(693) **Ottawa River** empties into Lake Erie about 3.5 miles north of the mouth of the Maumee River. The river is used by small boats drawing 2 to 4 feet. In 1980, a submerged obstruction was reported in the approach to the river in about 41°44'30"N., 83°27'18"W. Fred C. Young fixed highway bridge about 2 miles above the mouth has a clearance of 14 feet. Several marinas on the river provide gasoline, water, electricity, sewage pump-out, launching ramps, marine supplies, and hoists to 20 tons for hull and engine repairs. A **slow-no wake speed** is enforced on the river.

(694) **Shantee Creek** and **Halfway Creek** empty into Lake Erie just north of the mouth of Ottawa River. A **slow-no wake speed** is enforced on both creeks.

(695)

ENCs - US4MI11M, US5MI11M, US6MI07M, US6OH07M, US5MI07M, US5OH07M, US5OH1BM
Charts - 14830, 14846

(696) From **North Cape,** on the north side of Maumee Bay, north to the mouth of the River Raisin, the shore is low and wooded. The 18-foot contour varies from 9 miles offshore at Toledo to 3 miles offshore at Monroe. The **State boundary** between Ohio and Michigan is about 2.5 miles north of the mouth of the Maumee River.

(697) **Toledo Beach** is a small-craft harbor about 6.3 miles northwest of Toledo Harbor Light. The entrance channel is marked by a private **290°** lighted range, and the ends of the breakwaters are marked by private lights. A depth of 8 feet was reported in the entrance channel. A yacht club and marina are in the harbor and can provide transient berths, gasoline, diesel fuel, water, ice, electricity, sewage pump-out, launching ramps and some marine supplies. The marina has a 60-ton hoist and can also provide full repairs.

(698) **Otter Creek**, 1.3 miles north of Toledo Beach, has a small-craft harbor inside the mouth. The entrance channel to the creek is 25 to 30 feet wide between two short piers. Two private lights on the south pier form a **284°** range for approaching the creek. Depths in the approach and creek are 1 to 3 feet. In 1985, shoaling to an unknown extent was reported about 200 feet, 095° from the front range light. An overhead power cable crosses the creek about ¼ mile above the mouth with a reported clearance of 50 feet. Facilities in the creek can provide gasoline, electricity, water, ice, pump-out and some marine supplies. A 20-ton marine lift is available and full repairs can be made.

(699) **Bolles Harbor**, is a small-craft harbor at the mouth of **La Plaisance Creek,** about 2.7 miles southwest of the mouth of the River Raisin. A dredged entrance channel leads northwest from Lake Erie through **La Plaisance Bay** to the mouth of La Plaisance Creek, thence upstream for about 0.8 mile. A jetty is on the west side of the mouth and a diked disposal area extends about 1,700 feet Lakeland from the east side of the mouth. The entrance channel is marked by seasonal lighted and unlighted buoys, a daybeacon, and a **341.5°** lighted range. Lights mark the outer end of the jetty, the west side of the creek mouth, and the southwest corner of the diked disposal area.

(700) A **slow-no wake speed** is enforced in La Plaisance Creek. There are several marinas along the south side of the creek which provide transient berths, gasoline, diesel fuel, water, ice, electricity, pump-out facilities, marine supplies, launching ramps and hull/engine repairs.

(701) **Monroe Harbor** is within the mouth of the **River Raisin,** which flows into the west end of Lake Erie about 15 miles north-northeast of the mouth of the Maumee River. Four stacks at a power plant near the mouth of the river are prominent.

(702)

Channels

(703) A Federal project provides for a 21-foot entrance channel from deep water in Lake Erie to an 18-foot turning basin at the head of the project. The entrance channel is marked by lighted and unlighted buoys and a **291.7°** lighted range.

(704)

Bridges

(705) Two overhead power cables with a minimum clearance of 160 feet cross the River Raisin 0.75 mile above the mouth. Another cable, with a clearance of 60 feet, crosses the river about 1.7 miles above the mouth. The Detroit-Toledo Freeway bridge 2.1 miles above the mouth has a fixed span with a clearance of 23 feet.

(706)

Harbor regulations

(707) A **speed limit** of 10 mph (8.7 knots) is enforced in the entrance channel and 6 mph (5.2 knots) in the river channel. (See **33 CFR 162.145**, Chapter 2, for regulations.)

(708)

Towage

(709) Tugs for Monroe Harbor are available from Detroit. (See Towage under Detroit.)

(710)

Wharves

(711) **Detroit Edison Co., Monroe Power Plant Wharf** (41°53'33"N., 83°20'24"W.): 1550 feet of berthing space with 21 feet alongside and a deck height of 15 feet; one receiving hopper and electric belt-conveyor with open storage capacity of 2,018,000 tons; receipt of coal for plant consumption; owned and operated by Detroit Edison Co.

(712) **Holcim Monroe Dock** (41°53'48"N., 83°21'01"W.): 700 feet of berthing space with 12 feet alongside and a deck height of 12 feet; eight acres of open storage with capacity for 40,000 tons; receipt of petroleum coke by self-unloading vessel; owned and operated by Holcim, Inc.

(713) **Port of Monroe River Raisin Bulk Cargo Dock** (41°53'57"N., 83°21'13"W.): 1547 feet of berthing space with 12 feet alongside and a deck height of 6 feet; 16 acres of open storage; receipt of logs by barge and occasional receipt of miscellaneous dry-bulk commodities by self-unloading vessel; owned by the Port of Monroe and operated by Detroit Bulk Materials.

(714) **Port of Monroe Turning Basin General Cargo Wharf** (41°53'57"N., 83°21'31"W.): 1060 feet of berthing space with 18 feet alongside and a deck height of 9 feet; one 10-inch pipeline extends to eight steel storage tanks with a capacity of 1,333,000 barrels; two acres of open storage with 30,000-square-foot warehouse; receipt asphalt; owned by the Port of Monroe.

(715)

Small-craft facilities

(716) A marina is just west of the Detroit-Toledo Freeway bridge (I-75) on the north side of the river. Transient berths, gasoline, water, electricity, sewage pump-out and marine supplies are available. Diesel fuel can be brought in by truck. Two forklifts and a 15-ton travel lift are available for hull and engine repairs and haul-out. A public boat launch ramp is on the south side of the river behind **Sterling Island.**

(717) From the mouth of the River Raisin, the shoreline trends north about 4 miles and then east about 2 miles to **Stony Point,** a narrow peninsula extending about 0.5 mile south into the lake. **Brest Bay** is the bight formed on the west side of the point. A wreck covered 17 feet is 1.9 miles south-southeast of Stony Point. In 1982, a dangerous sunken wreck was reported about 1.5 miles southwest of Stony Point in about 41°55'N., 83°17'W.

(718) **Sandy Creek** empties into the west side of Brest Bay about 2 miles north of Monroe Harbor. Sterling State Park is on the south side at the creek entrance. A channel marked by private lighted and unlighted buoys leads southwest from Sandy Creek to a boat basin at the park. In 2007, the reported depth in the channel and basin was 4 feet. Several launching ramps are in the southeast corner of the basin. Services available inside the creek include: transient berths, gasoline, water, ice, and electricity.

(719) **Stony Creek** empties into the north side of Brest Bay. Spoil banks extend southeast from the mouth of the creek and help protect the entrance channel. The entrance channel is marked by private buoys and a private lighted range. Submerged rocks are close south of the channel. In 1977, a reported submerged pipeline, covered 1 foot, crosses the entrance to the creek. A marina inside the creek mouth can provide transient berths, gasoline, electricity, water, ice, pumpout facility, launching ramp and some marine supplies. The marina also has an 8-ton lift and full repairs can be made.

(720) On the east side of Stony Point, the 18-foot curve is about 0.6 mile offshore, increasing to 3.8 miles off at Swan Creek. From Swan Creek to **Pointe Mouillee,** on the west side of the mouth of the Detroit River, depths are generally less than 18 feet except for the dredged channels leading to the Detroit River.

(721) The water intake channel of the Enrico Fermi Power Plant is 2 miles north of Stony Point. Private lights mark the dikes on either side of the channel. Two 403-foot cooling towers at the plant are prominent.

(722) A **security zone**, marked by private buoys, has been established in the waters off the Enrico Fermi Power Plant, between Stony Point and Swan Creek. (See **33 CFR 165.1** through **165.8**,**165.30** through **165.33**, and **165.915**, Chapter 2 for limits and regulations.)

(723) **Swan Creek** is about 3 miles north of Stony Point. The entrance to the creek is marked by seasonal, private lighted and unlighted buoys and a **315°** lighted range.

Inside the entrance, daybeacons mark the north limit of the channel. In 1977, a controlling depth of 2 feet was reported in the entrance channel. In 1985, an obstruction was reported in the entrance channel in about 41°58'32"N., 83°14'42"W. A **slow-no wake speed** is enforced in the creek. Transient berths, gasoline, water, ice, electricity, sewage pump-out facilities, limited marine supplies, a 10-ton lift, and hull and engine repairs are available.

(724)

ENCs - US4MI11M, US5MI11M, US5MI21M
Charts - 14830, 14848

(725) **Detroit River Light** (42°00'03"N., 83°08'28"W.), 55 feet above the water, is shown from a white conical tower with black top, on a hexagonal pier in the entrance to the Detroit River east of Pointe Mouillee; a sound signal and racon are at the light.

(726) An irregularly shaped diked disposal area is about 2.5 miles west of Detroit River Light. A dredged channel, marked by buoys, leads west from the light to the disposal area, but is not intended for public use.

(727)

ENCs - US4MI11M, US5MI11M
Charts - 14820, 14830

(728) For about 25 miles west from a line between Point Marblehead on the south shore and Point Pelee on the north shore, Lake Erie is rendered foul by a group of islands and shoals. The main route for large vessels is through Pelee Passage in the north part of the area, but other passages of limited capacity are also available to the south. Submerged fish net stakes may be encountered throughout the west end of Lake Erie.

(729) The **International boundary** between the United States and Canada extends through this area in a series of straight lines bearing from the east into the northwest.

(730)

ENCs - US4MI11M, US5MI11M, US5OH10M, US6OH08M, US6OH1AM, US4OH08M, US5OH08M
Charts - 14830, 14844, 14842

(731) **South Passage** extends along the south shore of Lake Erie, bounded by Point Marblehead and Catawba Island on the south and Kelleys Island, South Bass Island, and Green Island on the north. Although it is obstructed by numerous shoals, a depth of 16 feet can be carried through the passage.

(732) **Kelleys Island** is about 4 miles north of Point Marblehead with a deep channel 2.7 miles wide between. The island, about 3 miles long east and west and about 2 miles wide north and south, is bordered on the east side by a rocky bank that extends 0.7 mile off. A buoy marks the extent of the bank east of **Long Point,** the northeast point of the island. The other shores of the island should not be approached closer than 0.25 mile except at the landings. West of Long Point, an open bay has depths of 18 feet to within 0.4 mile of the shore. A dangerous sunken wreck is 0.4 mile west of Long Point. Kellstone, Inc. has a dock on the west side of the island, and a ferry dock with service to Marblehead, Sandusky, and South Bass Island (Put-In-Bay) is on the southwest side of the island. A marina and a small-craft basin are on the east side of the broad bight on the south side of the island. Jetties protect the entrance channel to the basin. In 1980, shoaling to 4 feet was reported to extend 75 feet west from the outer end of the south jetty. The basin has a depth of about 8 feet. Another marina is located on the north side of the bight, about 0.4 mile northwest of the basin. The marinas can provide transient berths, gasoline, diesel fuel, water, ice, marine supplies and pump-out facility. The marinas monitor VHF-FM channels 16, 68 and 80.

(733) West of **Carpenter Point,** the west point of Kelleys Island, several submerged rocks are covered less than 18 feet. A rock covered 12 feet, is marked on the west side by a lighted buoy 0.6 mile west-northwest of Carpenter Point. A wreck, covered 17 feet, is 0.6 mile north of the point.

(734) **American Eagle Shoal**, extending west from Carpenter Point, has a least depth of 10 feet about 1.7 miles west of the point. **South Shoal,** with depths of 15 to 18 feet, continues west from American Eagle Shoal. These shoals lie on the northeast side of the vessel route through South Passage. Numerous submerged net stakes, covered 13 to 18 feet, are in or near the vessel route southeast of South Shoal.

(735) **Scott Point Shoal**, west of South Shoal on the southwest side of the vessel route, is rocky and has a least depth of 11 feet at the northeast end where it is marked by a lighted buoy. From the buoy, the shoal extends southwest to within 0.6 mile of **Mouse Island.Mouse Island Reef**, with a least depth of 9 feet, is on the southwest side of the vessel route, 1 mile northwest of Scott Point Shoal. **Starve Island Reef**, with a least depth of 7 feet, is on the northeast side of the vessel route and is marked off its west side by a lighted buoy. **Starve Island**, 1 mile north of Starve Island Reef, is on a shoal bank off the southeast side of South Bass Island. The shoal bank extends from South Bass Island to an 8-foot spot 0.5 mile southeast of Starve Island. A deepwater passage about 0.4 mile wide is between the 8-foot spot and Starve Island Reef.

(736) **South Bass Island**, about 3.5 miles long northeast and southwest, is 2.5 miles north of Mouse Island and 5 miles northwest of Kelleys Island. Shoals extend 0.2 to 0.5 mile off the southeast side of the island except at Starve Island, and the west side of the island is deep-to. **South Bass Island Light** (41°37'44"N., 82°50'30"W.), 95 feet above the water, is shown from a white skeleton tower with a red and white diamond-shaped daymark on the southwest point of the island.

(737) **Put-In-Bay**, a semicircular inlet on the north side of South Bass Island, is protected on the west side by **Peach Orchard Point.** A shoal with a least depth of 2 feet extends 0.25 mile northeast from the point and is marked at the outer end by a lighted buoy. **Gibraltar Island** is a

small bold islet in the west part of the bay on the east side of Peach Orchard Point. Shallow water is between the southwest side of the island and the shore. A buoy marks a detached shoal with a least depth of 10 feet on the east side of the bay.

(738) **Perrys Victory and International Peace Memorial,** commemorating his victory in the naval battle of 1813, is a conspicuous landmark on the east side of Put-In-Bay on the narrow constriction of South Bass Island. The 335-foot monument is a granite tower marked by a light and surmounted by a glass-covered bronze bowl.

(739) **Put-In-Bay, OH**, a harbor on the south side of the bay, is used principally for fruit shipments and excursion business. Ferry service is available to Sandusky, Port Clinton, Kelleys Island and Middle Bass Island. The approach to the harbor is marked by lighted and unlighted buoys. A dredged channel, marked by buoys, leads west along the piers on the south side of the bay.

(740) Small-craft facilities at Put-In-Bay provide transient berths, gasoline, diesel fuel, electricity, water, ice, pump-out, marine supplies and a 5-ton hoist.

(741) **Green Island**, rocky and wooded, is 1 mile west of South Bass Island. A light marks the west end of the island. A shoal extends 0.3 mile off the east end.

(742) **Kelleys Island Shoal**, with a least depth of 2 feet, is northeast of Kelleys Island. A narrow channel with depths of 18 feet or more is between the northeast end of Kelleys Island and the southwest end of the shoal. The northeast end of the shoal is about 2.5 miles from the island and is marked by a lighted buoy. A buoy marks the northwest side of the shoal.

(743) **Gull Island Shoal**, 2.4 miles north of Kelleys Island, is marked on the south side by a lighted buoy. The shoal extends 1.5 miles northeast from the buoy. The southwest part of the shoal has numerous bare rocks.

(744) **Middle Island** is about 1.6 miles north of Gull Island Shoal. A dangerous sunken wreck is on the southwest side of the island. A deep passage about 0.5 mile wide is between the island and Gull Island Shoal.

(745) **Ballast Island** is about 0.8 mile northeast of the northeast point of South Bass Island with shoal water between. A channel with a depth of about 8 feet and marked by buoys leads across the bank about 0.3 mile south of Ballast Island. The north side of Ballast Island is deep-to and is marked by a light.

(746) **Middle Bass Island** is 0.5 mile north of the northeast projection of South Bass Island, and the main body of the island extends north 1.5 miles. From the northeast end of the island, a narrow peninsula extends 1.4 miles east-northeast. A shoal with rocks awash extends 0.75 mile from the end of the peninsula and is marked by a lighted bell buoy. **Sugar Island** is connected to the northwest corner of Middle Bass Island by a rocky ledge covered 1 foot. A 10-foot spot is about 0.5 mile northeast of Sugar Island. The east, south, and west sides of Middle Bass Island have deep water within 0.3 mile. Middle Bass Island State Park Marina is on the east side of the island near the south end. The marina provides transient berths, electricity, water, ice, gasoline, pump-out facility, launching ramp and monitors VHF-FM channel 71. Passenger ferry service is available to Put-In-Bay. Automobile and passenger ferry service is available to Catawba Island.

(747) **Rattlesnake Island**, 1 mile west of Middle Bass Island, has clean shores except for a shoal extending 0.15 mile from the east end and a shoal and small islet extending 0.3 mile from the west end. A wreck, covered 23 feet, is 1.2 miles west-northwest of the island.

(748) **North Bass Island** is about 1 mile north of Middle Bass Island. Shoals and rocks extend about 0.4 mile offshore around the island except on the west side where a broad bank with depths of 5 to 12 feet extends 1.2 miles off. A buoy marks the southwest extremity of the bank. A lighted buoy marks the extent of shoals off the northeast side of the island. A sunken wreck with masts visible is 1.2 miles east of North Bass Island, in about 41°43'09"N., 82°47'16"W.

(749)

ENCs - US4MI11M, US5MI11M, US5OH10M
Charts - 14830, 14844

(750) An extensive group of shallow rocky spots, covered 10 to 16 feet, is about 1 to 2.5 miles north of North Bass Island. A buoy and a lighted bell buoy mark the south and west extremities of the area, respectively. A dangerous sunken wreck is just southeast of the shoals.

(751) A group of small islands and bare rocks is on a shallow bank centered about 4 miles north of North Bass Island. **Hen Island,** 4.5 miles north of North Bass Island, is the largest and northernmost of the group. Shallow water extends about 0.2 mile offshore around the island. About 1 mile south of Hen Island, a very shallow bank extends 2 miles east and west. The other islands of the group are on this bank. **Little Chicken Island** is a small outcropping 1.1 miles south of Hen Island. On the north part of the bank, 0.4 mile north-northwest of Little Chicken Island, is a 2-foot spot. Between this spot and Hen Island is a deep passage about 0.25 mile wide. **Chick Island,** 4 feet high, is about 1.2 miles southwest of Hen Island. Bare rocks are off the northwest and southeast sides of the island. **Big Chicken Island,** 12 feet high, is about 1.6 miles southwest of Hen Island; bare rocks are off the northwest side of the island. A depth of 11 feet is available across the center of the bank between Big Chicken Island and Little Chicken Island.

(752) **Hen Island Shoal**, with a least depth of 19 feet, is 1.3 miles north of Hen Island and is unmarked.

(753) **East Sister Island** is 8.5 miles west of Sheridan Point on Pelee Island and 3.2 miles northwest of Hen Island. Shoals extend off about 0.25 mile around the island. **East Sister Shoal,** with a least depth of 7 feet, is 0.8 mile northeast of the island.

(754) **North Harbour Island**, 0.7 mile north of East Sister Island, is on a shallow bank with depths to 9 feet extending 0.4 mile north and southeast from the island.

(755)

ENCs - US4MI11M, US5MI11M
Chart - 14830

(756) **North Harbour Island Reef**, with a least depth of 3 feet and marked on the north side by a lighted buoy, is 1.6 miles north of North Harbour Island. In rough weather, vessels should not attempt passage between the island and the reef.

(757) **Middle Sister Island**, the northwesternmost of the Lake Erie island group, is 7.6 miles west-northwest of East Sister Island. The island, about 0.3 mile long, is marked at the northeast end by a light. Shoals extend about 0.4 mile off the south shore.

(758) **West Sister Island** (41°44'21"N., 83°06'21"W.), the westernmost of the island group, is about 8.5 miles north-northwest of Locust Point on the south lakeshore. The shores of the island are deep-to except for **West Sister Reef,** a 1-foot shoal extending 0.4 mile off the southeast side. A light marks the southwest end of the island.

(759)

ENCs - US4MI11M, US5MI11M
Charts - 14830, *2123

(760) **Pelee Passage, ON** is the main vessel route through the island group in the west end of Lake Erie. The passage is bounded on the southwest side by **Pelee Island, ON** and its contiguous shoals and on the north side by **Point Pelee, ON**and its contiguous shoals. The controlling depth through the passage is about 29 feet. Lighted midchannel buoys mark the turns through the passage, and lights and buoys mark the bordering shoals.

(761)

Canadian Waters

(762) **Bar Point**is the rounding point of land forming the east side of the mouth of the Detroit River. The **International Boundary** roughly bisects the mouth of the Detroit River and thence proceeds upstream in a north direction, putting Bar Point in Canada. Proceeding easterly from Bar Point along the north shoreline of Lake Erie, to past the Welland Canal, to the headwaters of the Niagara River, the entire shoreline is in Canada. For a description of the Canadian waters/shoreline of Lake Erie see **Canadian Sailing Directions CEN303**; this includes Pelee Island and Pelee Passage.


Chart Coverage in Coast Pilot 6—Chapter 14
NOAA's Online Interactive Chart Catalog has complete chart coverage
http://www.charts.noaa.gov/InteractiveCatalog/nrnc.shtml
74°W
73°W
77°W
76°W
75°W
46°N
45°N
44°N
43°N
42°N
QUEBEC
ONTARIO
NEW YORK
VT
MA
CT
Montreal
RIVER RICHELIEU
1350
1351
14781
Plattsburgh
14782
14785
Burlington
LAKE CHAMPLAIN
14783
Ticonderoga
14784
ST. LAWRENCE RIVER
CANADA
UNITED STATES
LAKE ONTARIO
Oswego
ONIEDA LAKE
14788
Rome
Utica
MOHAWK RIVER
14786
14786
Syracuse
14791
SENECA LAKE
CAYUGA LAKE
Ithaca
Schenectady
Troy
Albany
12348
HUDSON RIVER

Hudson River, New York Canals, and Lake Champlain

(1) The **Hudson River** extends north from The Battery at New York City for about 152 miles to the head of tidal navigation at the Troy Lock and Dam at Troy, NY. (This section of the Hudson River is described in United States Coast Pilot 2, Cape Cod to Sandy Hook.)

(2) A Federal project provides for a 32-foot channel from New York City to Albany, thence a 14-foot channel to the Troy Lock and Dam. (See Notices to Mariners and latest editions of charts for controlling depths.)

(3)

Chart Datum, Hudson River

(4) The plane of reference for depths shown on charts of the Hudson River is mean low water as far north as the upper end of Haverstraw Bay, about 38 miles above The Battery. From Haverstraw Bay to the Troy Lock and Dam, the reference plane is Hudson River Datum, which is mean low water during lowest river stages.

(5)

ENC - US5NY44M
Charts - 12348, 14786

(6) **Troy Lock and Dam** at **Troy, NY**, 154 miles above The Battery at New York City, is the lower entrance to the New York State Canal System. The lock has a length of 492.5 feet and width of 44.4 feet, with a depth of 13 feet over the lower sill at lowest low water. The lift of the lock at lowest stages is 17.3 feet.

(7)

Regulations

(8) (See **33 CFR 207.50**, Chapter 2, for lock regulations and signals.)

(9)

ENC -
Chart - 14786

(10) Above Troy Lock, the Hudson River extends north for about 2.3 miles to the junction of Erie Canal and Champlain Canal at **Waterford, NY**.

(11) The **New York State Canal System**, built and maintained by the State of New York, is a waterway providing access from the Hudson River to Lake Champlain on the east and to Lake Ontario and Lake Erie on the west. The system, comprising Champlain Canal, Erie Canal, Oswego Canal, and Cayuga and Seneca Canal, is 524 miles long, of which 370 miles are canalized rivers, streams, and lakes, and 154 miles are artificial land cuts. Information on the New York State Canal System is available at *canals.ny.gov*.

(12)

Chart Datum, New York State Canal

(13) The plane of reference for depths shown on charts of the New York State Canal System is normal pool level.

(14) **Champlain Canal**, 60miles long, follows the canalized Hudson River from Waterford north to **Fort Edward, NY**, thence follows a land cut and canalized **Wood Creek** to Lake Champlain. From Waterford, 8 locks ascend 124.8 feet to the summit elevation of 140 feet about 1.3 miles northeast of Fort Edward, thence 3 locks descend 43.5 feet to **Whitehall, NY**, at the south end of Lake Champlain.

(15)

ENC - US5NY67M
Charts - 14786, 14788

(16) The **Erie Canal**is 338 miles long from Waterford west across New York State to Tonawanda on the Niagara River. From Waterford, the canal follows the canalized**Mohawk River**, a short reach of **Wood Creek**, and several interspersed land cuts to **Oneida Lake**. After passing through the lake, the canal follows **Oneida River**, **Seneca River**, **Clyde River** and several land cuts to **Lyons, NY**. A 6.8-mile-long branch channel extends southeast from the Seneca River through **Onondaga Lake** to **Syracuse, NY**, west of Lyons, the canal is an artificial channel to Pendleton, NY thence the canal follows Tonawanda Creek to Tonawanda. About 39 miles west of Lyons, the canal crosses the **Genesee River**. From the intersection, a 3.2-mile section of the Genesee River has been improved to provide access from the canal to Rochester. A dam on the Genesee River 7 miles downstream of the canal precludes navigable access to Lake Ontario.

(17) The Erie Canal, from Waterford to Tonawanda, has 34 locks. At Waterford, a flight of 5 locks ascends 168.8 feet from the pool above Troy Lock and Dam around Cohoes Falls to the Mohawk River, thence 14 locks ascend the Mohawk Valley 236 feet to the summit level near Rome, NY, thence 3 locks descend 57 feet to Three Rivers, NY, at the junction with Oswego Canal, and thence 12 locks ascend 201 feet to the Niagara River.

(20)

Structures across the Hudson River

Name•Description•Type	Location	Miles*	Clear Width of Draw or Span Opening (feet)**	Clear Height above High Water Datum (feet)	Information
George Washington Bridge (fixed)	40°51'06"N., 73°57'09"W.	11.0	3,169	195	Note 1
Tappan Zee Bridge (fixed)	41°04'12"N., 73°52'48"W.	27.0	1,042 (center) 470 (right and left)	139	
Overhead power cables	41°15'48"N., 73°58'17"W.	41.8		160	
Bear Mountain Bridge (fixed)	41°19'13"N., 73°59'00"W.	46.7	1,584	155	
Newburgh-Beacon Bridges (fixed)	41°31'12"N., 73°59'58"W.	62.0	960	147	Note 2
Mid-Hudson Bridge (fixed)	41°42'12"N., 73°56'44"W.	75.6	1,080	134	
CSX Railroad Bridge (fixed)	41°42'39"N., 73°56'40"W.	76.1	490	167	
Rhinecliff Bridge (fixed)	41°58'40"N., 73°56'44"W.	94.3	760 (both spans)	135	
Rip Van Winkle Bridge (fixed)	42°13'26"N., 73°51'07"W.	113.6	480	142	
Overhead power cables	42°14'56"N., 73°48'58"W.	116.2		145	
Overhead power cable	42°30'29"N., 73°46'30"W.	135.5		185	
CSX Railroad Bridge	42°30'33"N., 73°46'28"W.	135.6	371 (center) 75 (right), 566 (left)	139	Vertical clearance is for the left span
Castleton-on-Hudson Bridge (fixed)	42°30'36"N., 73°46'25"W.	135.7	552	135	
Overhead power cable	42°35'46"N., 73°45'37"W.	141.9		169	
Overhead power cable	42°35'56"N., 73°45'40"W.	142.1		194	
Dunn Memorial Bridge (fixed)	42°38'36"N., 73°44'51"W.	145.4	300	60	
CSX Railroad Bridge (swing)	42°39'16"N., 73°44'29"W.	146.2	103 (right), 98 (left)	25	Note 3
Overhead power cable	42°39'16"N., 73°44'29"W.	146.2		135	
Overhead power cable	42°39'39"N., 73°44'02"W.	146.8		88	
Patroon Island Bridge (fixed)	42°39'54"N., 73°43'44"W.	147.2	300	60	
Overhead power cable	42°40'52"N., 73°43'02"W.	148.5		95	
Overhead power cable	42°41'46"N., 73°42'16"W.	149.7		87	
Troy-Menands Bridge (fixed)	42°42'04"N., 73°42'08"W.	150.2	317	61	Note 4
Congress Street Bridge (fixed)	42°43'44"N., 73°41'48"W.	152.1	250	55	
Green Island Bridge (vertical lift)	42°44'07"N., 73°41'21"W.	152.7	184	29	Note 3
Collar City Bridge (fixed)	42°44'26"N., 73°41'15"W.	153.1	359	61	
Troy Lock		153.9			
112th Street Bridge (fixed)	42°46'18"N., 73°40'54"W.	155.4	160	20	Notes 3 and 5

* Miles above The Battery, New York City
** Clear width in feet proceeding upstream

Note 1 – The bridge has a center clearance of 213 feet, with a clearance of 210 feet at the west end of the span and 195 feet at the east end of the span.
Note 2 – The vertical clearance of 147 feet is for a middle width of 760 feet in the center span. The bridges have a maximum vertical clearance of 172 feet at the center of the span.
Note 3– See 33 CFR 117.1 through 117.59 and 117.791, chapter 2, for the drawbridge regulations.
Note 4 – Vertical lift span maintained in the closed position. See 33 CFR 117.791, chapter 2, for drawbridge regulations.
Note 5 – Clearance at low water and above maximum navigable pool level.

(18)

ENC -
Chart - 14786

(19) **Oswego Canal** branches northwest from Erie Canal about 160 miles west of Waterford at **Three Rivers, NY,** at the confluence of Oneida River, Seneca River, and Oswego River. The canal, 24 miles long, is formed almost entirely by the canalized **Oswego River.** The canal descends 118 feet through 7 locks from Three Rivers to Lake Ontario. (Oswego Harbor is described in chapter 5.)

(21)

ENCs - US4NY68M, US5NY68M
Charts - 14786, 14791

(22) **Cayuga and Seneca Canal branches** south from the Erie Canal about 41 miles west of Three Rivers. The canal follows the canalized Seneca River and leads south through both **Cayuga Lake** and **Seneca Lake.** The canal is 92 miles long to **Ithaca, NY,** at the south end of Cayuga Lake and to **Watkins Glen, NY,** at the south end of Seneca Lake including a 2.5-mile cut to **Montour**

Falls, NY, south of Watkins Glen. From the Erie Canal, 1 lock ascends 7.5 feet to Cayuga Lake, and thence 3 locks ascend 64.5 feet to Seneca Lake.

(23) **Caution**.—Four private special purpose lighted mooring buoys, painted red and white, mark a barge moored about 2.9 miles north of **Long Point** (42°39'24"N., 76°54'36"W.) on Seneca Lake. Three private special purpose lighted mooring buoys, painted red and white, mark a barge moored about 1 mile northeast of Long Point.

(24) Another facility of barge and buoys is 0.25 mile southwest of **Portland Point** near the south end of Cayuga Lake. The barge and two mooring cables are each marked by a white buoy floodlighted at night. The barge is marked by four vertical lights, one showing fixed white and three showing fixed red.

(25)

New York State Canal Chart Coverage

(26) The NOS provides chart coverage of the New York State Canal System from the Hudson River at Troy, NY, as far west as Lyons, NY. Coverage of the canal system from Syracuse west to the Niagara River at Tonawanda, NY, is contained in New York State Canal System Cruising Guide, available at *canals.ny.gov* or telephone 800–422–6254.

(27)

Channels

(28) The **Great Lakes-Hudson River Waterway Improvement** is that part of the canal system including the Erie Canal from Waterford west to Three Rivers and thence the Oswego Canal to Lake Ontario. This section of the system, funded by the U.S. Government and maintained by the State of New York, has a project depth of 14 feet at normal pool level between locks and 13 feet at normal pool level through all locks and guard gates. These channels have widths of 104 feet in earth cuts, 120 feet in rock cuts, and 200 feet in river and lake sections.

(29) Elsewhere in the New York State Canal System, the project depth is 12 feet in all channels and through all locks and guard gates. These channels have widths of 75 feet in earth cuts, 94 feet in rock cuts, and generally 200 feet in canalized rivers.

(30) The canal system is well marked by lights, lighted ranges, lighted and unlighted buoys, and daybeacons, all maintained by the State of New York. The arrangement of aids considers the entire canal system as a waterway extending from the Hudson River to interior parts of the State. All red lights, daybeacons, and buoys are on the right or starboard hand, and all white lights, daybeacons, and buoys are on the left or port hand when proceeding up or away from the Hudson River, or away from the main line in the branches. This arrangement extends west to Tonawanda on the Niagara River. However, buoyage in the Niagara River is based on the principle that "proceeding from seaward" is proceeding from Lake Erie toward the Niagara Falls. Mariners are therefore reminded, after exit from the canal into the Niagara River, to keep red buoys to port and green buoys to starboard when continuing on to Lake Erie.

(31)

Locks

(32) The New York State Canal System has a total of 56 locks plus the Federal lock at Troy. The controlling dimensions of the locks are a length of 300 feet and a width of 43.5 feet. The locks and guard gates have a depth of 12 feet over the sills at normal pool level, except 13 feet over the sills in the Great Lakes-Hudson River Waterway Improvement. The lock lifts range from 6 feet to 40.5 feet, with an average lift of 17.7 feet. The guard gates at various points in the canal system have a pier in midchannel with a clear passage of 55 feet on either side.

(33)

Bridges

(34) There are more than 300 bridges that cross the canal system. Most of the bridges are fixed, except where local conditions necessitate other types. The least vertical clearance for bridges crossing the part of the system known as the Great Lakes-Hudson River Waterway Improvement is 20 feet, and the least clearance for all other parts of the canal system is 15 feet.

(35)

Regulations

(36) A **speed limit** of 6 mph is enforced in the canal, except in the canalized rivers and lakes. In the canalized rivers and lakes, the speed limit is dependent on traffic conditions, and speed limits for the various sections are posted at each lock. Copies of the canal regulations and detailed information regarding movement through the canal are available from the New York State Canal Corporation, Office of Canals, 200 Southern Boulevard, P.O. Box 189, Albany, NY 12201-0189, telephone 800-4CANAL4 or visit *canals.state.ny.gov*.

(37)

Small-craft facilities

(38) Marinas providing all types of small craft services and supplies are located throughout the canal system. A list of sewage pump-out facilities in New York State is available from the New York State Department of Environmental Conservation, 50 Wolf Road, Albany, NY 12205.

(39)

ENCs - US5VT04M, US5VT03M, US5VT02M, US-5VT01M
Charts - 14784, 14783, 14782, 14781

(40) **Lake Champlain** extends from the lower end of Champlain Canal at Whitehall, NY, north for about 112 miles to the International boundary at Rouses Point, NY. The north end of the lake outlets north through Riviere Richelieu and Canal de Chambly to the St. Lawrence River.

(41) The principal ports on the lake are Port Henry, NY, at the south end, Burlington, VT, and Plattsburgh, NY,

(51)

Structures across Lake Champlain

Name•Description•Type	Location	Mile*	Horizontal Clearance (feet)**	Vertical Clearance at Low Water Datum (feet)	Information
Overhead power cable	43°33'44"N., 73°23'54"W.	0.3			Clearance data not available
Overhead power cable	43°34'15"N., 73°24'14"W.	1.0			Clearance data not available
Lake Champlain Bridge (fixed)	44°01'58"N., 73°25'24"W.	36.7	300	75	Notes 1 and 4
Sand Bar Bridge (fixed)	44°37'53"N., 73°15'22"W.	82.6	54	15	
US Route 2 Bridge (bascule)	44°45'58"N., 73°17'24"W.	91.8	80	18	Note 2; Under Construction
North Hero Island-Alburg Tongue Bridge (fixed)	44°53'05"N., 73°16'28"W.	99.2	82	26	
Overhead power cables	44°53'08"N., 73°16'27"W.	99.3		47	
Isle La Motte-Alburg Tounge Bridge (fixed)	44°54'11"N., 73°18'57"W.	99.4	30	8	
Canadian National Railroad Bridge (swing)	44°58'15"N., 73°13'14"W.	105.6	36	11	Note 2
Missisquoi Bay Bridge (fixed)	44°58'23"N., 73°13'12"W.	105.9	150	35	
Korean War Veterans Memorial/ Rouses Point Bridge	44°59'54"N., 73°20'57"W.	106.8	237	56	Notes 1 and 3

* Miles from Whitehall
** Clear width in feet proceeding away from Whitehall

Note 1 – Bridge is across the direct route through the lake proceeding from the Hudson River to the St. Lawrence River.
Note 2 – See 33 CFR 117.1 through 117.59, 117.797, and 117.993, chapter 2, for drawbridge regulations.
Note 3 – Vertical clearance is measured at Ordinary High Water (OHW) which is 98 feet.
Note 4 – Vertical clearance is measured at Mean High Water (MHW)

near midlake, and Rouses Point, NY, at the north end. The lake is used extensively by pleasure craft, and marinas are found on both sides throughout its length.

(42)

Chart Datum, Lake Champlain

(43) The plane of reference for depths shown on the charts covering Lake Champlain is low lake level, which is 93.0 feet above mean sea level.

(44) A **special anchorage** is on the west side of the lake in **Deep Bay** (Chart 14781). (See **33 CFR 110.1** and **110.8(i)**, Chapter 2, for limits and regulations.)

(45)

Channels

(46) The south 37 miles of Lake Champlain, from Whitehall north to **Crown Point** (44°01'48"N., 73°25'48"W.), is a narrow arm. The south 13 miles of this arm, from Whitehall north to **Benson Landing,** is filled with a marshy flat traversed by a narrow channel of open water. A Federal project provides for a 12-foot channel through this reach. In September 2008, the controlling depths in the channel were 2 feet (7½ feet at midchannel) to Benson Landing. Above Benson Landing, natural deep water is available to Crown Point. The entire narrows, from Whitehall to Crown Point is well marked by lights and buoys.

(47) North from Crown Point for about 75 miles to Rouses Point, Lake Champlain is deep and wide. Prominent points and shoals throughout the lake are marked by lights and buoys.

(48)

Fluctuations of water level

(49) The water level of Lake Champlain is subject to variation from year to year; the observed range is from 0.6 foot below to 8.8 feet above the reference plane of low lake level. During each year, the seasonal fluctuation is 4 to 5 feet, the lowest stage occurring in September or October and the highest stage in April or May.

(50) Following is a description of the principal ports and tributaries of Lake Champlain.

(52)

ENC - US5VT04M
Chart - 14784

(53) **Poultney River**, not navigable, flows into the east side of Lake Champlain about 1 mile north of Whitehall. The **State boundary** between New York and Vermont follows Lake Champlain from the mouth of Poultney River north to the International boundary.

(54) Marinas in the stretch from Whitehall to Port Henry are at **Chipman Point** 19 miles north of Whitehall, 1.5 miles north of Chipman Point, and at the mouth of **Hospital Creek** opposite Port Henry. The usual services and travelifts to 20 tons are available.

(55) **La Chute** is a creek that flows into the west side of the lake about 22 miles north of Whitehall. The approach to the creek is very shoal and weedy and is not recommended for other than small outboards, which can then navigate the creek for about 1 mile during high stages. **Fort Ticonderoga**, on the point east of the creek mouth, is prominent from the lake.

(56)

Cable ferry

(57) Fort Ticonderoga Ferry crosses the lake about 1.7 miles above La Chute. The ferry barge is towed by a tug and guided across the lake by two cables which are fixed on either shore. Passing through guides and carrier wheels on the ferry, the cables are dropped to the bottom astern and picked up ahead. The cables reach the bottom about 400 feet from either end of the ferry thus allowing vessels to pass by the moving ferry. The tug and barge are marked by lights, and signs on both and along the shore warn vessels of the presence of the ferry and the cables. Extreme caution is advised when passing a cable ferry and should never be passed close-by.

(58) A **special anchorage** is on the west side of the lake just south of the ferry crossing. (See **33 CFR 110.1** and **110.8(a)**, Chapter 2, for limits and regulations.)

(59) **Port Henry, NY** is on the west side of Lake Champlain at the south end of the wide section, about 39 miles north of Whitehall.

(60)

Channels

(61) A dredged basin along the harbor front is entered from south. The east side of the entrance is marked by a buoy that marks the south end of the shoals that border the east side of the basin. At the north end of the harbor, a 500-foot pier of the New York State Canal System extends southeast from shore and is marked at the outer end by a private light. The pier also serves as a breakwater to protect the harbor from north. A State-dredged channel leads from deep water west to the terminal. In 1967, the maximum depth available in the harbor basin and barge canal terminal channel was 12 feet.

(62)

Small-craft facilities

(63) A 50-ton marine railway, which can handle 50-foot craft for hull and engine repairs, gasoline, diesel fuel, water, ice, electricity, sewage pump-out, marine supplies, launching ramps, and mooring buoys are available at the marinas in Port Henry.

(64) **Bulwagga Bay**, south of Port Henry on the west side of Crown Point, is foul with submerged piles and cribs. A line of submerged piles that extends from the east side across the mouth of the bay is marked by private buoys.

(65)

ENC - US5VT03M
Chart - 14783

(66) Between **Barber Point** (44°09'12"N., 73°24'18"W.) and **The Four Brothers** 20miles north, marinas are on the west side of the lake at **Westport, NY**, and **Essex, NY**, and on the east side of the lake on the south side of **Thompsons Point** and in **McNeil Cove**. Marine railways to 50 tons, lifts to 35 tons, and the usual services are available.

(67) **Special anchorages** are on the east side of Thompsons Point and at Essex, NY. (See **33 CFR 110.1** and **110.8 (b)** and **(g)**, Chapter 2, for limits and regulations.)

(68) **Otter Creek** flows into the east side of the lake about 6.5 miles northeast of Barber Point. A depth of about 6 feet can be carried by small craft for 8 miles to **Vergennes, VT.**

(69) A ferry crosses the lake between **Essex, NY** and **McNeil Cove** on the east shore. The ferry operates between April 4th and December 25th with regular service, and in the winter will run as ice conditions permit.

(70) **Boquet (Bouquet) River,** 3 miles north of Essex, is navigable by small motorboats for about 1 mile during high water stages.

(71)

ENCs - US5VT03M, US5VT02M
Charts - 14783, 14782

(72) **Willsboro Bay,** on the west side of the lake west of The Four Brothers, is enclosed on the east by **Willsboro Point.** Marinas on the east side of the bay provide transient berths, gasoline, diesel fuel, electricity, ice, sewage pump-out, mast-stepping service, launching ramps, and hull and engine repairs.

(73) **Shelburne Bay**, east of The Four Brothers, is enclosed on the west by **Shelburne Point.** Two special anchorages are on the west side of the bay. (See **33 CFR 110.1** and **110.8(c)** and **(c–1)**, Chapter 2, for limits and regulations.) A boatyard on the west side of the bay provides transient berths, gasoline, diesel fuel, water, ice, electricity, and sewage pump-out. A 220-foot marine railway and a 30-ton lift are available for hull and engine repairs.

(74)

ENCs - US5VT02M, US5VT05M
Charts - 14782, 14785

(75) **Burlington, VT,** just north of the entrance to Shelburne Bay, is the largest port on Lake Champlain. Several companies have dock facilities for receipt of petroleum products by barge. The Hilton Hotel, with a red lighted sign, is the most prominent object in the harbor approach.

(76) **Burlington Breakwater North Light** (44°28'50"N., 73°13'47"W.), 35 feet above the water, is shown from a white square lighthouse on the north end of the north breakwater.

(77)

Channels

(78) Two detached breakwaters parallel the shore and protect the harbor front from west. Lights are on the north end of the north breakwater and on the south end of the south breakwater, and a daybeacon marks the north side of the gap between them. Depths in the harbor are 6 to 12 feet off the wharves increasing to much greater depths at

the breakwaters. Good anchorage is available behind the breakwaters.

(79)

Anchorages

(80) A **special anchorage area** for vessels less than 65 feet in length is about 0.2 mile northeast of Burlington Breakwater South Light. (See **33 CFR 110.1** and **110.8(h)**, Chapter 2, for limits and regulations.) A **special anchorage area** for vessels less than 35 feet is off the east side of the south breakwater. (See **33 CFR 110.1** and **110.136**, Chapter 2, for limits and regulations.)

(81)

Coast Guard

(82) **Burlington Coast Guard Station** is at the north end of the harbor, east of Burlington Breakwater North Light.

(83)

Harbor regulations

(84) **Harbor regulations** are established by the Burlington City Council and are enforced by the **harbormaster** who may be reached at City Hall. A **speed limit** of 5 mph is enforced in the city yacht basin. Copies of the regulations may be obtained from the Mayor, City Hall, Burlington, VT 05401.

(85)

Small-craft facilities

(86) Marinas in the city yacht basin 0.6 mile southeast of Burlington Breakwater North Light provide transient berths, gasoline, diesel fuel, water, ice, electricity, and a launching ramp.

(87)

Ferry

(88) Passenger and automobile ferries cross the lake between Burlington and Port Kent, NY, 10 miles west-northwest. The ferries operate between June 16 to October 10.

(89) **Caution**.—An operations area for amphibious and air rescue training is in midlake west of Burlington, bounded generally by Schuyler Reef, Appletree Shoal, Juniper Island, and The Four Brothers. The using agency is Plattsburgh Air Force Base.

(90)

ENC - US5VT02M
Chart - 14782

(91) From Willsboro Bay north to Plattsburgh, NY, marinas are at **Port Kent, NY,** 4.5 miles north of Port Kent, and west of **Valcour Island.** The usual small-craft facilities are available.

(92) **Winooski River,** 4 miles north-northwest of Burlington, is navigable by small motorboats.

(93) **Malletts Bay**, 6 miles north of Burlington, is a nearly landlocked bay protected on the west by **Malletts Head**. About 3.5 miles west of Malletts Head, in the approach to the bay from the open lake, an abandoned railroad dike extends from the mainland shore north to the south end of Grand Isle near midlake. A narrow gap near the north end of the dike, marked by a private light on the south side, provides access for small craft. A shifting bar at the gap has depths of as little as 3 feet. A 1-foot spot just inside the gap is marked by a buoy. **Special anchorages** are on the west side of Malletts Bay. (See **33 CFR 110.1** and **110.8(d)** and **(e)**, Chapter 2, for limits and regulations.) Marinas in Malletts Bay provide transient berths, gasoline, diesel fuel by truck, water, ice, electricity, sewage pump-out, marine supplies, and launching ramps. Lifts to 20 tons are available for hull and engine repairs.

(94) **Plattsburgh, NY,** is on the west side of **Cumberland Bay,** 20 miles northwest of Burlington. Several companies receive petroleum products by barge at the town.

(95)

Channels

(96) The dredged basin along the city waterfront is protected from the east by a detached breakwater paralleling the shore. The ends of the breakwater are marked by lights. The breakwater has been reported to become submerged during periods of high water; mariners are advised to use caution when transiting the area. The controlling depths are 5 to 9 feet at the wharves increasing to 12 feet at the breakwater. The protected area of the harbor provides good anchorage. A seasonally deployed floating breakwater is close south of the wharves on the west side of the basin.

(97)

Wharf

(98) A terminal pier of the New York State Canal System is in the northwest corner of Cumberland Bay. The pier has a 400-foot south face with a reported depth of 12 feet alongside. The approach to the pier is marked by a buoy; private lights mark the pier and the outer end of a breakwater just south of the pier.

(99)

Small-craft facilities

(100) A marina at Plattsburgh provides transient berths, gasoline, diesel fuel, water, ice, electricity, sewage pump-out, marine supplies, and a launching ramp. A 20-ton lift is available for hull and engine repairs.

(101)

Ferry

(102) A ferry operates from the east side of **Cumberland Head,** which encloses the east side of Cumberland Bay, to the west side of Grand Isle. The ferry operates 24-hours a day, Monday through Friday, with year round service.

(103)

ENCs - US5VT02M, US5VT01M
Charts - 14782, 14781

(104) **Grand Isle** or **South Hero Island**, **North Hero Island** and **Alburg Tongue** divide the north part of Lake Champlain into two arms. **Missisquoi Bay** is at the north end of the east arm, and Riviere Richelieu flows north from the west arm.

(105) **Lamoille River**, 2.8 miles north of Mallets Bay, is navigable at low stages only by motorboats drawing 1 to 2 feet.

(105.001) **Missisquoi River**, flowing into the south side of Missisquoi Bay, is navigable at low stages by motorboats drawing 1 to 2 feet for about 6 miles to Swanton. **Dead Creek**, the alternate entrance to the river, has depths of 2 to 12 feet.

(106) Marinas are in the east arm of the north end of Lake Champlain on the southeast side of Grand Isle, at the northeast end of **Burton Island** on the west side of **St. Albans Bay,** in **City Bay** on the east side of North Hero Island, and on the east side of **Alburg Passage.** Lifts handling boats to 25 feet are available.

(107) A **special anchorage** is at the head of St. Albans Bay. (See **33 CFR 110.1** and **110.8(f)**, Chapter 2, for limits and regulations.)

(108) **Great Chazy River** flows into the west side of Lake Champlain about 4 miles south of Rouses Point, NY. The entrance to the river is marked by private lighted and unlighted buoys. The river is navigable at low stages by small boats drawing 2 to 3 feet for about 6 miles to Champlain. In 2003, the controlling depth in the entrance channel was 1.2 feet. In 1977, a depth of 5 feet was reported to be available to the marina 0.5 mile above the mouth.

(109) Marinas are: on the west side of **Treadwell Bay** in the small bight **Bay St Armand** (44°44'54"N., 73°24'50"W.); in **Mooney Bay** opposite the south end of North Hero Island (44°47'13"N., 73°21'55"W.); and 0.5 mile above the mouth of the Great Chazy River. Gasoline, transient berths, pump-out, and lifts to 50 tons are available.

(110)

ENC - US5VT01M
Chart - 14781

(111) **Rouses Point, NY,** is a town and harbor on the west side of the north end of Lake Champlain, just south of the International boundary. The harbor is formed by a bight that extends 2 miles north from **Stony Point.** A breakwater, marked by a light, extends northeast from Stony Point to protect the harbor from the south, and an abandoned pile railroad bridge trestle protects the harbor from the northeast. In 2011, the breakwater was reported submerged and a hazard to navigation. Mariners are advised to use extreme caution when transiting the area. A fixed highway bridge, with a clearance of 56 feet at Ordinary High Water (98 feet), crosses Riviere Richelieu 0.3 mile north of the abandoned railroad trestle.

(112) The harbor has depths of 6 to 8 feet in all seasons of the year, except for depths of 4 feet and less on a reef that extends 0.5 mile south from the point that encloses the north end of the harbor. Anchorage bottom in the harbor is good.

(113)

Quarantine, customs, immigration, and agricultural quarantine

(114) (See Chapter 3, Vessel Arrival Inspections, and appendix for addresses.)

(115) **Quarantine** is enforced in accordance with the regulations of the U.S. Public Health Service. (See Public Health Service, Chapter 1.)

(116) Rouses Point is a **customs port of entry.**

(117)

Small-craft facilities

(118) A protected basin is between the abandoned railroad trestle and a 500-foot pier just south. The outer 200 feet of the basin has depths of 6 to 8 feet, and the inner part is foul. Marinas at Rouses Point provide transient berths, gasoline, diesel fuel, water, ice, electricity, sewage pump-out, and some marine supplies. A 10-ton mobile lift is available for hull and engine repairs.

(119)

Canadian Waters

(120) The **International boundary** between the United States and Canada is on a general east and west line about 2.7 statute miles (2.3 nm) north of **Stony Point** (44°58'15"N., 73°21'23"W.).

(121)

ENC - US5VT01M
Charts - 14781, *1351, *1350

(122) **Riviere Richelieu** flows north from the head of Lake Champlain at Rouses Point for about 80 statute miles (69.5 nm) to its mouth at the St. Lawrence River at the city of **Sorel, QC** about 46 statute miles (about 40 nm) below Montreal.

(123)

Restricting dimensions

(124) The size of vessels passing through the system is limited by the dimensions of the locks of **Canal de Chambly** and by the bridge **Pont Felix-Gabriel-Marchand**across the Canal de Chambly in the vicinity of **Saint-Jean-sur-Richelieu;** length 33.98 m (111 feet), width 7 m (23 feet), depth over the sills 1.98 m (6.5 feet), least vertical clearance 8.8 m (29 feet). In periods of extreme low water levels the least draft will be less.

(125) See **Canadian Sailing Directions Saint Lawrence River-Cap Rouge to Montreal (ATL 112)** for detailed description of the system.

Appendix A

(1)

Sales Information

(2) NOAA publications, nautical charts and unclassified National Geospatial-Intelligence Agency (NGA) nautical charts are sold by authorized sales agents in many U.S. ports and in some foreign ports. Information on obtaining charting products and a listing of authorized agents can be found at *www.nauticalcharts.noaa.gov*.

(3)

ENC - Charts, Publications and Services–NOAA

(4)

Reporting corrections to Nautical Charts and Coast Pilots

(5) Users are requested to report all significant discrepancies or additions to NOAA navigational products, including depth information in privately maintained channels and basins; obstructions, wrecks, and other dangers; new, relocated, or demolished landmarks; uncharted fixed private aids to navigation; deletions or additions of small-craft facilities and any other information pertinent to safe navigation. This information may be submitted using the NOAA Office of Coast Survey website: *ocsdata.ncd.noaa.gov/idrs/discrepancy.aspx*.

(6)

Department of Commerce, NOAA
Nautical Data Branch
N/CS26, Station 7505
1315 East-West Highway
Silver Spring, Maryland 20910
ocs.ndb@noaa.gov

(7)

Nautical Charts

(8) NOAA maintains the nautical charts and publications for the coast of the United States and the Great Lakes. Over a thousand charts cover 95,000 miles of shoreline and 3.4 million square nautical miles of water. Access to charts, publications and chart catalogs is available through *www.nauticalcharts.noaa.gov*.

(9)

Dates of Latest Editions

(10) Information concerning the dates of the latest editions for the full suite of NOAA's nautical charts and U.S. Coast Pilot volumes can be found at *www.nauticalcharts.noaa.gov/mcd/dole.htm*.

(11)

Coast Pilots

(12)

U.S. Coast Pilot 1	–	Atlantic Coast, Eastport to Cape Cod
U.S. Coast Pilot 2	–	Atlantic Coast, Cape Cod to Sandy Hook
U.S. Coast Pilot 3	–	Atlantic Coast, Sandy Hook to Cape Henry
U.S. Coast Pilot 4	–	Atlantic Coast, Cape Henry to Key West
U.S. Coast Pilot 5	–	Gulf of Mexico, Puerto Rico and Virgin Islands
U.S. Coast Pilot 6	–	Great Lakes: Lakes Ontario, Erie, Huron, Michigan, Superior and St. Lawrence River
U.S. Coast Pilot 7	–	Pacific Coast: California, Oregon, Washington, Hawaii and Pacific Islands
U.S. Coast Pilot 8	–	Alaska, Dixon Entrance to Cape Spencer
U.S. Coast Pilot 9	–	Alaska, Cape Spencer to Beaufort Sea

(13)

Distance Tables

(14) Distances Between United States Ports is available at *www.nauticalcharts.noaa.gov/nsd/distances-ports*.

(15)

Center for Operational Oceanographic Products and Services

(16)

1305 East-West Highway
Silver Spring, Maryland 20910
301–713–2815 (phone)
301–713–4500 (fax)
www.tidesandcurrents.noaa.gov

(17)

National Weather Service Offices

(18) The following offices provide forecasts, current conditions, local information and climatological data. This data can be accessed through the websites listed after each office below.

(19)

Illinois

NWS Forecast Office Chicago – *www.weather.gov/lot*
333 West University Drive, Romeoville, IL. 20446

Michigan

NWS Forecast Office Detroit/Pontiac – *www.weather.gov/dtx*
9200 White Lake Road, White Lake, MI. 48386

NWS Forecast Office Grand Rapids – *www.weather.gov/grr*
4899 South Complex Drive SE, Grand Rapids, MI. 49512-4034

NWS Forecast Office Marquette – *www.weather.gov/mqt*
112 Airpark Drive South, Negaunee, MI. 49866

Minnesota

NWS Forecast Office Duluth – *www.weather.gov/dlh*
5027 Miller Trunk Highway, Duluth, MN. 55811-1442

New York

NWS Forecast Office Buffalo – *www.weather.gov/buf*
587 Aero Drive, Cheektowaga, NY. 14225

Ohio

NWS Forecast Office Cleveland – *www.weather.gov/cle*
Federal Facilities Building
Cleveland Hopkins Airport, Cleveland, OH. 44135

Wisconsin

NWS Forecast Office Green Bay – *www.weather.gov/grb*
2485 South Point Road, Green Bay, WI. 54313-5522

NWS Forecast Office Milwaukee/Sullivan – *www.weather.gov/mkx*
N3533 Hardscrabble Road, Dousman, WI. 53118

(20)

NOAA Weather Radio

(21) National Weather Service VHF-FM radio stations provide mariners with continuous FM broadcasts of weather warnings, forecasts, radar reports and surface weather observations. Reception range is up to 40 miles from the antenna site, depending on the terrain, type of receiver and antenna used. The following VHF-FM radio stations with location of antenna are in or near the area covered by this Coast Pilot.

(22)

Call Sign	Station	Location	Frequency (MHz)
WXN-68	Watertown, NY	43°58'N., 75°55'W.	162.475
WXL-31	Syracuse, NY	42°58'N., 76°12'W.	162.550
KHA-53	Rochester, NY	43°08'N., 77°35'W.	162.400
KEB-98	Buffalo, NY	42°38'N., 78°46'W.	162.550
KEC-58	Erie, PA	42°03'N., 80°00'W.	162.400
KHB-59	Cleveland, OH	41°24'N., 81°51'W.	162.550
KHB-97	Sandusky, OH	41°24'N., 82°49'W.	162.400
WXL-51	Toledo, OH	41°37'N., 83°42'W.	162.500
KEC-63	Detroit, MI	42°28'N., 83°12'W.	162.550
KIH-29	Flint, MI	43°13'N., 83°43'W.	162.475
WNG-582	Sandusky, MI	43°19'N., 82°48'W.	162.450
KXI-33	West Branch, MI	44°13'N., 84°22'W.	162.450
KIG-83	Alpena, MI	45°03'N., 83°43'W.	162.550
WWF-70	Gaylord, MI	44°56'N., 84°40'W.	162.500
KIH-22	Traverse City, MI	44°45'N., 85°40'W.	162.400
WWF-36	Hesperia, MI	43°37'N., 86°04'W.	162.475
WXN-99	West Olive, MI	42°45'N., 86°09'W.	162.425
WXJ-57	South Bend, IN	41°36'N., 86°11'W.	162.400
KWO-39	Chicago, IL	41°53'N., 87°38'W.	162.550
KZZ-76	Racine, WI	42°42'N., 87°50'W.	162.450
WWG-91	Sheboygan, WI	43°45'N., 87°45'W.	162.525
KIG-65	Green Bay, WI	44°24'N., 88°00'W.	162.550
WXN-69	Sister Bay, WI	45°11'N., 87°07'W.	162.425
KZZ-35	Escanaba, MI	45°45'N., 87°05'W.	162.500
WNG-576	Newberry, MI	46°20'N., 85°25'W.	162.450
KIG-74	Sault Ste. Marie, MI	46°22'N., 84°24'W.	162.550
WXK-73	Houghton, MI	47°02'N., 88°41'W.	162.400
KIG-64	Duluth, MN	46°50'N., 92°04'W.	162.550

(23)

Marine Weather Forecasts

(24) Scheduled coastal marine forecasts are issued four times daily by National Weather Service Offices. Further information on coastal marine forecasts and other types of forecasts is available at *www.nws.noaa.gov/om/marine/forecast.htm.*

(25)

Space Weather Prediction Center (SWPC)

(26) The Space Weather Prediction Center provides real-time monitoring and forecasting of solar and geophysical events which impact satellites, power grids, communications, navigation and many other technological systems.

(27)

NOAA, National Weather Service
National Centers for Environmental Predictions
Space Weather Prediction Center, W/NP9
325 Broadway
Boulder, Colorado 80305
www.swpc.noaa.gov

(28)

National Weather Service Port Meteorological Officers (PMOs)

(29) **Port Meteorological Officers** provide assistance on matters of weather chart interpretation, instruments, marine weather communications, and requirements affecting ship operations. (See **National Weather Service,** chapter 1, for further details.) PMO offices in the area covered by this Coast Pilot are as follows:

(30) **Duluth**– National Weather Service, 5027 Miller Trunk Highway, Duluth, MN 55811-1442.

(31)

ENC - Charts - and Publications–Other U.S. Government Agencies

(32) A partial list of publications and charts considered of navigational value is included for the ready reference of the mariner. In addition to the agents located in the principal seaports handling publication sales, certain libraries have been designated by the Congress of the United States to receive the publications as issued for public review.

(33)

Government Publishing Office

(34)

U.S. Government Publishing Office
710 North Capitol Street, NW
Washington, DC 20401-0001
202-512-1800
866-512-1800
www.gpo.gov/
ContactCenter@gpo.gov

(35)

Nautical Charts

(36) **Apalachicola, Chattahoochee and Flint Rivers Navigation Charts**, **Alabama River Charts**, and **Black**

Warrior-Tombigbee Rivers River Charts—available from the U.S. Army Corps of Engineer Mobile District for purchase in bound hard copy or as a free download in PDF at *www.sam.usace.army.mil.*

(37) **Flood Control and Navigation Maps of the Mississippi River, Cairo, Illinois to the Gulf of Mexico**—available from the U.S. Army Corps of Engineer Memphis District as a free download in PDF at *www.mvm.usace.army.mil*.

(38) **Upper Mississippi River Navigation Charts (Mississippi River, Cairo, Illinois to Minneapolis, Minnesota)** and **Charts of the Illinois Waterway, from Mississippi River at Grafton, Illinois to Lake Michigan at Chicago and Calumet Harbors**—available from the U.S. Army Corps of Engineer Rock Island District for purchase in hard copy format or as a free download in PDF at *www.mvr.usace.army.mil*.

(39)

Publications

(40) **Local Notice to Mariners** are posted weekly by the U.S. Coast Guard Navigation Center at *navcen.uscg.gov*. The National Geospatial-Intelligence Agency, U.S. Notice to Mariners are available at *msi.nga.mil/NGAPortal/MSI.portal*

(41) **Special Notice to Mariners** are published annually in National Geospatial-Intelligence Agency Notice to Mariners 1. These notices contain important information of considerable interest to all mariners. Interested parties are advised to read these notices.

(42) **Light List**—Published by the United States Coast Guard and available online at *navcen.uscg.gov.* Also see Light List, chapter 1, for additional information.

(43) **List of Lights**, **Sailing Directions**, **Radio Navigational Aids (Pub. 117)**, **American Practical Navigator (Pub. 9)** and **International Code of Signals (Pub. 102)**—Published by the National Geospatial-Intelligence Agency and available at *msi.nga.mil/NGAPortal/MSI.portal.*

(44) The **Nautical Almanac**, the **Air Almanac**, and **Astronomical Almanac**: available through the United States Naval Observatory (*www.usno.navy.mil/USNO/astronomical-applications*).

(45) **Marine Product Dissemination Information:** maintained by National Weather Service on the internet, (*www.nws.noaa.gov/om/marine/home.htm*).

(46) **Navigation Rules and Regulations Handbook**: Publication produced by the United States Coast Guard Navigation Standards Branch, which contains International and Inland Rules of the Road and Navigation Regulations. Available for download or viewing at *www.navcen.uscg.gov* under the link *Navigation Rules*.

(47) **Federal Requirements for Recreational Boats:** available for free download at *www.uscgboating.org*.

(48)

Offices and Services–Other U.S. Government Agencies

(49)

U.S. Army Corps of Engineers (USACE) Offices

(50)

District/Division Office	Contact Information
Buffalo District Office 1776 Niagara Street Buffalo, NY 14207	*www.lrb.usace.army.mil* 1–800–833–6390
Chicago District Office 231 South LaSalle Street Suite 1500 Chicago, IL 60604	*www.lrc.usace.army.mil* 312–846–5330
Detroit District Office 477 Michigan Avenue Detroit, MI 48226	*www.lre.usace.army.mil* 1–888–694–8313
New York District Office 26 Federal Plaza Room 2113 New York, NY 10278	*www.nan.usace.army.mil* 917–790–8007
Rock Island District Office Tower Building P.O. Box 2004 Rock Island, IL 61204	*www.mvr.usace.army.mil* 309–794–4200
St. Louis District Office 1222 Spruce Street St. Louis, MO 63103	*www.mvs.usace.army.mil* 314–331–8000

(51)

Environmental Protection Agency (EPA) Offices

(52)

Regional Areas, States and Information
Region 1 New Hampshire, Vermont, Maine, Massachusetts, Connecticut, Rhode Island *www.epa.gov/aboutepa/epa-region-1-new-england*
Region 2 New Jersey, New York, Puerto Rico, Virgin Islands *www.epa.gov/aboutepa/epa-region-2*
Region 3 Delaware, Maryland, Virginia, District of Columbia, Pennsylvania *www.epa.gov/aboutepa/epa-region-3-mid-atlantic*
Region 4 Alabama, Florida, Georgia, Mississippi, South Carolina, North Carolina *www.epa.gov/aboutepa/epa-region-4-southeast*
Region 5 Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin *www.epa.gov/aboutepa/epa-region-5*
Region 6 Louisiana, Texas *www.epa.gov/aboutepa/epa-region-6-south-central*
Region 9 California, Hawaii, Guam *www.epa.gov/aboutepa/epa-region-9-pacific-southwest*
Region 10 Alaska, Oregon, Washington *www.epa.gov/aboutepa/epa-region-10-pacific-northwest*

(53)

U.S. Coast Guard Navigation Center (NAVCEN)

(54) The Coast Guard Navigation Center provides cutting edge services for safe, secure, and efficient maritime transportation. The center operates the Navigation Information Service (NIS), the Maritime Differential GPS (DGPS) and the developing Nationwide Differential Global Positioning System (NDGPS). In addition,

NAVCEN serves as the civilian interface for the Global Positioning System and manages other navigation-related projects.

(55) For further information and/or operational questions regarding GPS and DGPS, visit *navcen.uscg.gov*, or contact:

(56)

Commanding Officer
U.S. Coast Guard Navigation Center
NAVCEN MS 7310
7323 Telegraph Road
Alexandria, VA 20598-7310

(57)

Coast Guard District Offices

(58)

Districts, Boundary Description and Contact Information
First Coast Guard District Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York except that part north of latitude 42°N and west of longitude 74°39'W; that part of New Jersey, north of latitude 40°18'N, east of longitude 74°30.5'W, and northeast of a line from 40°18'N., 74°30.5'W., north-northwesterly to the New York, New Jersey and Pennsylvania boundaries at Tristate; all U.S. Naval reservations on shore at Newfoundland; the ocean area encompassed by the Search and Rescue boundary between Canada and the United States easterly to longitude 63°W.; thence due south to latitude 41°N; thence southwesterly along a line bearing 219°T to the point of intersection at 37°N., 67°13'W., with a line bearing 122°T from the New Jersey shoreline at latitude 40°18'N, (just south of the Shrewsbury River); thence northwesterly along this line to the coast. 408 Atlantic Avenue Boston, MA 02110-3350 617–223–8356
Ninth Coast Guard District Michigan, New York north of latitude 42°N and west of longitude 74°39'W.; Pennsylvania north of latitude 41°N and west of longitude 78°55'W; Ohio and Indiana north of latitude 41°N; Illinois north of latitude 41°N and east of longitude 90°W; Wisconsin, except south of latitude 46°20'N and west of longitude 90°W; and Minnesota north of latitude 46°20'N. 1240 East Ninth Street Cleveland, OH 44199-2060 216–902–6073

(59)

Coast Guard Sector Offices

(60) Note: A Sector Office combines the functions of the Captain of the Port and Marine Inspection Office.

(61)

Sectors	Contact Information
Sector Buffalo	One Fuhrmann Boulevard Buffalo, NY 14203 716–843–9315
Sector Detroit	110 Mount Elliot Avenue Detroit, MI 48207 313–568–9525
Sector Sault Sainte Marie	337 Water Street Sault Sainte Marie, MI 49783-9501 906–635–3217
Sector Lake Michigan	2420 South Lincoln Memorial Drive Milwaukee, WI 53207 414–747–7100

(62)

Coast Guard Stations

(63) The stations listed are in the area covered by this Coast Pilot. They have search and rescue capabilities and may provide lookout, communications, and/or patrol functions to assist vessels in distress. The National VHF-FM Distress System provides continuous coastal radio coverage outwards to 20 miles on channel 16. After contact on channel 16, communications with the Coast Guard should be on channel 22A. If channel 22A is not available to the mariner, communications may be made on channel 12. Selected stations guard the International Radiotelephone Distress, Safety and Calling Frequencies.

(64)

St. Lawrence River	
Station Alexandria Bay	On the south shore of Wellesley Island, 1,400 feet west of Light 195 on Cherry Island.
Lake Ontario	
Station Oswego	On the south side of the basin, about 0.7 mile south of West Pierhead Light.
Station Rochester	East side of entrance to harbor.
Station Niagara	East side of entrance to Niagara River.
Lake Erie	
Station Buffalo	On the south pier at the mouth of Buffalo River.
Station Erie	On the north side of the entrance channel.
Station Ashtabula	On east side of river, about 700 feet north of the highway bridge.
Station Fairport	On west side of mouth of Grand River.
Station Cleveland Harbor	Near the west end of Burke Lakefront Airport on the south side of a small basin.
Station Lorain	North side of the Black River.
Station Marblehead	On Point Marblehead, 1.1 miles northeast of Marblehead Light.
Station Toledo	In Bay View Park, on northwest side of the Maumee River near its mouth.
Detroit River	
Station Belle Isle	At Belle Isle Light near the upper end of the island.
Lake St. Clair	
Station St. Clair Shores	Near the end of Revere Avenue, about 0.7 mile north of Miller Memorial Light.
St. Clair River	
Station Port Huron	On west side of the entrance to St. Clair River, near Fort Gratiot Light.
Lake Huron	
Station Harbor Beach	North of Harbor Beach at Waterworks Park.
Station Saginaw River	On the east side of Saginaw River, about 1.7 miles above the river entrance.
Station Tawas	On Tawas Point, about 0.7 mile northeast of Tawas Light.
Station St. Ignace	Near the Michigan Department of State Highways dock, on the east end of Graham Point.
Lake Michigan	
Station Charlevoix	North side of Pine River entrance to Lake Charlevoix.
Station Frankfort	North side of harbor entrance.
Station Manistee	North side of Manistee Harbor entrance.
Station Ludington	North side of harbor entrance.
Station Muskegon	On the south side of the entrance channel, at the inner end of the south pier.
Station Grand Haven	North side of the mouth of the Grand River
Station Holland	North side of harbor entrance. (seasonal station)
Station St. Joseph	North side of harbor entrance.
Station Michigan City	East side of harbor entrance.
Station Calumet Harbor	Lakefront in the south part of Calumet Park, about 1.1 miles south of Calumet River entrance.

Station Wilmette Harbor	North side of harbor entrance.
Station Kenosha	On the east side of the inner basin.
Station Milwaukee	At the south end of the outer harbor.
Station Sheboygan	North side of the Sheboygan River mouth.
Station Two Rivers	Northeast side of harbor entrance.
Station Sturgeon Bay	North side at the east entrance to the Sturgeon Bay Ship Canal.
Station Washington Island	On west side of Detroit Harbor entrance channel. (seasonal station)
Station Green Bay	On the east side of the mouth of the Fox River. (seasonal station)
St. Marys River	
Station Sault Sainte Marie	Just east of the locks.
Lake Superior	
Station Marquette	Near inner end of the breakwater, about 1,000 feet southwest of Marquette Light.
Station Portage	On the north bank of the waterway about 0.2 mile west of the lift bridge at Hancock.
Station Bayfield	On the south side of Bayfield.
Station Duluth	On the northern part of Minnesota Point, inside Duluth Harbor.
Lake Champlain	
Station Burlington	0.3 mile east of Burlington Harbor North Breakwater Light.

(65)

Coast Guard Radio Broadcasts

(66) Urgent, safety, and scheduled marine information broadcasts are made by Coast Guard stations. In general, these broadcasts provide information vital to vessels operating in the approaches and coastal waters of the United States including the Great Lakes, Puerto Rico and U.S. Virgin Islands. Types of broadcasts are as follows:

(67) **Scheduled broadcasts**–U.S. Coast Guard stations make scheduled broadcasts on a prepublished schedule of intervals of 12 hours. After the preliminary announcements on VHF-FM channel 16 the station advises shifting to working frequency: VHF-FM channel 22.

(68) **Safety broadcasts–**U.S. Coast Guard stations which make scheduled broadcasts issue safety broadcasts upon receipt and on the next scheduled broadcast. Safety broadcasts are preceded by the safety signal SECURITY. After the preliminary signal on VHF-FM channel 16, the station may announce shifting to working frequency: VHF-FM channel 22A.

(69) **Urgent broadcasts**–U.S. Coast Guard stations which make scheduled broadcasts issue urgent broadcasts upon receipt and on schedule until canceled. Urgent broadcasts are preceded by the urgent signal, PAN-PAN. Both the urgent signal and message may be transmitted on VHF-FM channel 16.

(70)

Coast Guard Radio Station	Scheduled Broadcast Times (UTC)
Sector Buffalo	0255 and 1455
Sector Detroit	0135 and 1335
Sector Sault Sainte Marie	0005 and 1205
Sector Lake Michigan	0255 and 1455

(71)

U.S. NAVTEX Transmitting Stations

(72) NAVTEX is an international automated medium frequency direct-printing service informing mariners of navigational and meteorlogical warnings and forecasts, as well as urgent marine safety information. Coverage is reasonably continuous to 200 NM off the U.S. East, Gulf and West Coasts; Puerto Rico; Southwest Alaska; Hawaii; and 100 NM off Guam. U.S. Coast Guard NAVTEX broadcast stations and message content for the areas covered by this Coast Pilot are shown below.

(73)

Station	ID	Broadcast Schedule (UTC)
Boston (NMF)	F	0050, 0450, 0850, 1250, 1650, 2050
Chesapeake (NMN)	N	0210, 0610, 1010, 1410, 1810, 2210
Charleston (NMN)	E	0040, 0440, 0840, 1240, 1640, 2040
Miami (NMA)	A	0000, 0400, 0800, 1200, 1600, 2000
San Juan (NMR)	R	0250, 0650, 1050, 1450, 1850, 2250
New Orleans (NMG)	G	0100, 0500, 0900, 1300, 1700, 2100

(74)

Customs Ports of Entry

(75) Vessels arriving in the United States from a foreign port or place are required to report their arrival to Customs and Border Protection immediately. Field Operations Offices and contact information is listed below.

(76)

Field Operations Office	Contact Information
Buffalo	300 Airborne Parkway Suite 300 Buffalo, NY 14225 716–626–0400
Detroit	2810-B West Fort Street Suite 123 Detroit, MI 48216 313–964–7830
Chicago	5600 Pearl Street Rosemont, IL 60018 847–928–3000

(77)

(78)

(79)

Public Health Service Quarantine Stations

(80)

Quarantine Stations and Addresses
CDC Chicago Quarantine Station O'Hare International Airport AMC O'Hare, P.O. Box 66012 Chicago, IL 60666-0012 773–894–2960 (24 hours)

(81) At other ports, quarantine and/or medical examinations are usually performed by Public Health Service contract personnel or by quarantine inspectors from the nearest quarantine station. Inquiries concerning quarantine matters should be directed to the nearest quarantine station.

(82)

Food and Drug Administration (FDA) Regional Offices

(83)

Northeast Region	158-15 Liberty Avenue Jamaica, New York 11433 718–340–7000
Central Region	20 North Michigan Avenue Suite 510 Chicago, Illinois 60602 215–597–4390
Pacific Region	1301 Clay Street Room 1180N Oakland, California 94612 510–287–2700
Southeast Region	60 Eighth Street NE Atlanta, Georgia 30309 404–253–1171
Southwest Region	4040 North Central Expressway Suite 900 Dallas, Texas 75204 214–253–4901

(84)

Department of Agriculture, Animal and Plant Health Inspection Service (APHIS)

(85) Information on the importation of plants, animals, and plant and animal products is available from APHIS, Department of Agriculture, 4700 River Road, Riverdale, MD 20737. Visit *aphis.usda.gov* for more information.

(86)

USDA Animal and Plant Inspection Service

Animal Import Centers:

Los Angeles Animal Import Center (LAAIC)
222 Kansas Street
El Segundo, CA 90245
310-955-3311

Miami Animal Import Center (MAIC)
6300 NW 36th Street
Miami, FL 33122
305-876-2200

New York Animal Import Center (NYAIC)
474 Animal Import Center
Newburg, NY 12550
845-838-5500

John F. Kennedy Airport Office
230-59 Rockaway Blvd.
Suite 100, Room 101
Jamaica, NY 11413
718-553-3570

Agriculture Select Service Agents
4700 River Road, Unit 2
Riverdale, MD 20737
AgSAS@aphis.usda.gov
301-851-3300 (select option 3)

(87)

U.S. Citizenship and Immigration Service Offices

(88)

Illinois	
Chicago Field Office	101 West Congress Parkway Chicago, IL 60605
Michigan	
Detroit Field Office	11411 East Jefferson Avenue Detroit, MI 48214
Minnesota	
St. Paul Field Office	2901 Metro Drive Suite 100 Bloomington, MN 55425
New York	
Albany Field Office	1086 Troy-Schenectady Road Latham, NY 12110
Buffalo Field Office	306 Delaware Avenue Buffalo, NY 14202
Ohio	
Cleveland Field Office	A.J.C. Federal Building 1240 East 9th Street Room 501 Cleveland, Ohio 44199
Vermont	
St. Albans Field Office	64 Gricebrook Road St. Albans, VT 05478
Wisconsin	
Milwaukee Field Office	310 East Knapp Street Milwaukee, WI 53202

(89)

Federal Communications Commission Offices

(90) **District Field Offices**

(91) **Chicago**– Park Ridge Office Center, Room 306, 1550 Northwest Hwy., Park Ridge, IL 60068-1460

(92) **New York**– 201 Varick Street, Suite 1151, New York, NY 10014-4870

(93) Telephone toll-free: 888–225–5322; (888–CALL–FCC) to report radio communications interference issues.

(94)

Saint Lawrence Seaway Development Corporation

(95) Saint Lawrence Seaway Development Corporation, 800 Independence Avenue SW., Washington, DC 20591.

(96) Saint Lawrence Seaway Development Corporation, Box 520, Massena, NY 13662.

(97)

Pilotage

(98) Pilot associations serving the Great Lakes are listed below with their dispatch office addresses and telephone numbers. Vessels entering the St. Lawrence River from sea make arrangements for pilotage service in advance through ships' agents to Laurentian Pilotage Authority. Vessels already on the Great Lakes and requiring pilotage service notify the nearest dispatch office 12 hours in advance and make a follow-up confirmation 4 hours in advance. (See **46 CFR 401**, chapter 2, and Pilotage, chapter 3 and at the beginning of chapters 4 through 13, for more information.)

(99)

Great Lakes Pilotage Authority	202 Pitt Street (2nd floor) P.O. Box 95 Cornwall, Ontario K6H 5R9 613–933–2991
Lakes Pilots Association	P.O. Box 610902 Port Huron, MI 48061-0902 810–984–2541 *lpa@arenet.net*
Laurentian Pilotage Authority	999 DeMaisonneuve Boulevard West Suite 1410 Montreal, Quebec H3A 3L4 514–283–6320
St. Lawrence Seaway Pilots Association	P.O. Box 274 Cape Vincent, NY 13618 315–654–2900 *www.seawaypilots.com*

Western Great Lakes Pilots Association	1111 Tower Avenue P.O. Box 248 Superior, Wisconsin 54880-0248

(100)

Canadian Government Agencies

(101)

Canadian Hydrographic Service

(102)

Fisheries and Oceans Canada
Communications Branch
200 Kent Street, 13th Floor, Station 13E228
Ottawa, Ontario K1A 0E6 Canada
1–800–465–7735
1–613–993–0999

(103)

Canadian Border Services Agency

(104)

Canadian Border Services Agency
Ottawa, Ontario Canada
K1A 0LB
1–800–461–9999 (within Canada)
1–204–983–3500 (outside Canada)
1–506–636–5064

(105)

St. Lawrence Seaway Management Corporation (Canada)

(106) The St. Lawrence Seaway Management Corporation, 202 Pitt Street, Cornwall, ON K6J 3P7, Canada.

Appendix B

(1) <1-36 Deleted>

(36.001) Following is an amalgamation of the **International (72 COLREGS) and Inland Navigation Rules**, their Annexes, and associated Federal rules and regulations.

(36.002) Text unique to Inland Rules is *italicized* and set apart in a text box or within *‹‹ double angle brackets ››*. International Rules are set apart in a text box or denoted with ‹ single angle brackets ›.

(36.003) Text within {curly brackets} denotes additions made by the U.S. Coast Guard Office of Navigation Systems.

(36.004) Disparate paragraph or section numbering are shown side by side separated by a dagger, i.e. (a)‡(b).

(36.005) Instances of "…§§83.xx / in / with / of … this section / subpart / part of this Rule, etc." are redacted, and herein are shown as the enumerated rule(s) they referred to, i.e. 72 COLREGS Rule 18(e) states: "...with the Rules of this Part" and the same Inland Rule states: "...with the Rules of this Subpart (Rules 4-19) (§§83.04 through 83.19)", but, herein it is stated as "...with Rules 4-19.

(36.006) Instances of paragraph / section (x) are redacted, and herein are shown as §(x).

(36.007) Rules denoted with an asterisk also have an associated implementing or interpretative rule (i.e. 33 CFR 81-90), which can be found in chapter 2.

(36.008)

Part A—General

(36.009)

Rule 1—Application

International

(a) These Rules shall apply to all vessels upon the high seas and in all waters connected therewith navigable by seagoing vessels.

(b) Nothing in these Rules shall interfere with the operation of special rules made by an appropriate authority for roadsteads, harbors, rivers, lakes, or inland waterways connected with the high seas and navigable by seagoing vessels. Such special rules shall conform as closely as possible to these Rules.

(c) Nothing in these Rules shall interfere with the operation of any special rules made by the Government of any State with respect to additional station or signal lights, shape or whistle signals for ships of war and vessels proceeding under convoy, or with respect to additional station or signal lights or shapes for fishing vessels engaged in fishing as a fleet. These additional stations or signal lights, shapes or whistle signals shall, so far as possible, be such that they cannot be mistaken for any light, shape, or signal authorized elsewhere under these Rules.

(d) Traffic separation schemes may be adopted by the Organization for the purpose of these Rules.

Rule 1—Application

(e) Whenever the Government concerned shall have determined that a vessel of special construction or purpose cannot comply fully with the provisions of any of these Rules with respect to number, position, range or arc of visibility of lights or shapes, as well as to the disposition and characteristics of sound-signaling appliances, such vessel shall comply with such other provisions in regard to number, position, range or arc of visibility of lights or shapes, as well as to the disposition and characteristics of sound-signaling appliances, as the Government shall have determined to be the closest possible compliance with these Rules in respect to that vessel.

Inland

(a) These rules apply to all vessels upon the inland waters of the United States, and to vessels of the United States on the Canadian waters of the Great Lakes to the extent that there is no conflict with Canadian law. These Rules have preemptive effect over State or local regulation within the same field.

(b)(i) These rules constitute special rules made by an appropriate authority within the meaning of Rule 1(b) of the International Regulations for Preventing Collisions at Sea, 1972, including annexes currently in force for the United States ("International Regulations").
(ii) All vessels complying with the construction and equipment requirements of the International Regulations are considered to be in compliance with these Rules.

(c) Nothing in these Rules shall interfere with the operation of any special rules made by the Secretary of the Navy with respect to additional station or signal lights and shapes or whistle signals for ships of war and vessels proceeding under convoy, or by the Secretary with respect to additional station or signal lights and shapes for fishing vessels engaged in fishing as a fleet. These additional station or signal lights and shapes or whistle signals shall, so far as possible, be such that they cannot be mistaken for any light, shape or signal authorized elsewhere under these Rules. Notice of such special rules shall be published in the Federal Register and, after the effective date specified in such notice, they shall have effect as if they were a part of these Rules.

(d) Traffic separation schemes may be established for the purposes of these Rules. Vessel traffic service regulations may be in effect in certain areas.

(e) Whenever the Secretary determines that a vessel or class of vessels of special construction or purpose cannot comply fully with the provisions of any of these Rules with respect to the number, position, range, or arc of visibility of lights or shapes, as well as to the disposition and characteristics of sound-signaling appliances, the vessel shall comply with such other provisions in regard to the number, position, range, or arc of visibility of lights or shapes, as well as to the disposition and characteristics of sound-signaling appliances, as the Secretary shall have determined to be the closest possible compliance with these Rules. The Secretary may issue a certificate of alternative compliance for a vessel or class of vessels specifying the closest possible compliance with these Rules. The Secretary of the Navy shall make these determinations and issue certificates of alternative compliance for vessels of the Navy.

Rule 1—Application

(f) The Secretary may accept a certificate of alternative compliance issued by a contracting party to the International Regulations if it determines that the alternative compliance standards of the contracting party are substantially the same as those of the United States.

(g) The operator of each self-propelled vessel 12 meters or more in length shall carry, on board and maintain for ready reference, a copy of these Rules.

(36.010)

Rule 2—Responsibility

(36.011) (a) Nothing in these Rules shall exonerate any vessel, or the owner, master, or crew thereof, from the consequences of any neglect to comply with these Rules or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

(36.012) (b) In construing and complying with these Rules due regard shall be had to all dangers of navigation and collision and to any special circumstances, including the limitations of the vessels involved, which may make a departure from these Rules necessary to avoid immediate danger.

(36.013)

Rule 3—General Definitions

(36.014) For the purpose of these Rules, except where the context otherwise requires:

(36.015) (a) The word "vessel" includes every description of watercraft, including non-displacement craft, WIG craft, and seaplanes, used or capable of being used as a means of transportation on water.

(36.016) (b) The term "power-driven vessel" means any vessel propelled by machinery.

(36.017) (c) The term "sailing vessel" means any vessel under sail provided that propelling machinery, if fitted, is not being used.

(36.018) (d) The term "vessel engaged in fishing" means any vessel fishing with nets, lines, trawls, or other fishing apparatus which restrict maneuverability, but does not include a vessel fishing with trolling lines or other fishing apparatus which do not restrict maneuverability.

(36.019) (e) The term "seaplane" includes any aircraft designed to maneuver on the water.

(36.020) (f) The term "vessel not under command" means a vessel which through some exceptional circumstance is unable to maneuver as required by these Rules and is therefore unable to keep out of the way of another vessel.

(36.021) (g) The term "vessel restricted in her ability to maneuver" means a vessel which from the nature of her work is restricted in her ability to maneuver as required by these Rules and is therefore unable to keep out of the way of another vessel. The term "vessels restricted in their ability to maneuver" shall include but not be limited to: (i) A vessel engaged in laying, servicing, or picking up a navigational mark, submarine cable or pipeline; (ii) A vessel engaged in dredging, surveying or underwater operations; (iii) A vessel engaged in replenishment or transferring persons, provisions or cargo while underway; (iv) A vessel engaged in the launching or recovery of aircraft; (v) A vessel engaged in mine clearance operations; (vi) A vessel engaged in a towing operation such as severely restricts the towing vessel and her tow in their ability to deviate from their course.

(36.022)

Rule 3h (International)

(h) The term "vessel constrained by her draft" means a power-driven vessel which because of her draft in relation to the available depth and width of navigable water is severely restricted in her ability to deviate from the course she is following.

(36.023) (i) The word "underway" means that a vessel is not at anchor, or made fast to the shore, or aground.

(36.024) (j) The words "length" and "breadth" of a vessel mean her length overall and greatest breadth.

(36.025) (k) Vessels shall be deemed to be in sight of one another only when one can be observed visually from the other.

(36.026) (l) The term "restricted visibility" means any condition in which visibility is restricted by fog, mist, falling snow, heavy rainstorms, sandstorms, or any other similar causes.

(36.027) (m) The term "Wing-In-Ground (WIG)" craft means a multimodal craft which, in its main operational mode, flies in close proximity to the surface by utilizing surfaceeffect action.

(36.028)

Rules 3n–3q (Inland)

(n) "Western Rivers" means the Mississippi River, its tributaries, South Pass, and Southwest Pass, to the navigational demarcation lines {30 CFR 80} dividing the high seas from harbors, rivers and other inland waters of the United States, and the Port Allen-Morgan City Alternate Route, and that part of the Atchafalaya River above its junction with the Port Allen-Morgan City Alternate Route including the Old River and the Red River.

(o) "Great Lakes" means the Great Lakes and their connecting tributary waters including the Calumet River as far as the Thomas J. O'Brien Lock and Controlling Waters (between mile 326 and 327), the Chicago River as far as the east side of the Ashland Avenue Bridge (between mile 321 and 322), and the Saint Lawrence River as far east as the lower exit of Saint Lambert Lock.

(p) "Secretary" means the Secretary of the Department in which the Coast Guard is operating.

(q) "Inland Waters" means the navigable waters of the United States shoreward of the navigational demarcation lines {30 CFR 80} dividing the high seas from harbors, rivers and other inland waters of the United States and the waters of the Great Lakes on the United States side of the International Boundary.

(36.029) **Implementing Rule**—See **33 CFR 89.25**, chapter 2, for regulations.

(36.030)

Part B—Steering and Sailing Rules

(36.031)

I—Conduct of Vessels in Any Condition of Visibility

(36.032)

Rule 4—Application

(36.033) Rules 4 through 10 apply ‹ to ›‹‹ in ›› any condition of visibility.

(36.034)

Rule 5—Lookout

(36.035) Every vessel shall at all times maintain a proper look-out by sight and hearing as well as by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and of the risk of collision.

(36.036)

Rule 6—Safe Speed

(36.037) Every vessel shall at all times proceed at a safe speed so that she can take proper and effective action to avoid collision and be stopped within a distance appropriate to the prevailing circumstances and conditions. In determining a safe speed the following factors shall be among those taken into account:

(36.038) (a) By all vessels:

(36.039) (i) The state of visibility; (ii) The traffic density including concentrations of fishing vessels or any other vessels; (iii) The maneuverability of the vessel with special reference to stopping distance and turning ability in the prevailing conditions; (iv) At night, the presence of background light such as from shore lights or from back scatter from her own lights; (v) The state of wind, sea and current, and the proximity of navigational hazards; (vi) The draft in relation to the available depth of water.

(36.040) (b) Additionally, by vessels with operational radar:

(36.041) (i) The characteristics, efficiency and limitations of the radar equipment; (ii) Any constraints imposed by the radar range scale in use; (iii) The effect on radar detection of the sea state, weather and other sources of interference; (iv) The possibility that small vessels, ice and other floating objects may not be detected by radar at an adequate range; (v) The number, location and movement of vessels detected by radar; (vi) The more exact assessment of the visibility that may be possible when radar is used to determine the range of vessels or other objects in the vicinity.

(36.042)

Rule 7—Risk of Collision

(36.043) (a) Every vessel shall use all available means appropriate to the prevailing circumstances and conditions to determine if risk of collision exists. If there is any doubt such risk shall be deemed to exist.

(36.044) (b) Proper use shall be made of radar equipment if fitted and operational, including long-range scanning to obtain early warning of risk of collision and radar plotting or equivalent systematic observation of detected objects.

(36.045) (c) Assumptions shall not be made on the basis of scanty information, especially scanty radar information.

(36.046) (d) In determining if risk of collision exists the following considerations shall be among those taken into account:

(36.047) (i) Such risk shall be deemed to exist if the compass bearing of an approaching vessel does not appreciably change.

(36.048) (ii) Such risk may sometimes exist even when an appreciable bearing change is evident, particularly when approaching a very large vessel or a tow or when approaching a vessel at close range.

(36.049)

Rule 8—Action to Avoid Collision

(36.050) (a) Any action taken to avoid collision shall be taken in accordance with Rules 4 through 19 and shall if the circumstances of the case admit, be positive, made in ample time and with due regard to the observance of good seamanship.

(36.051) (b) Any alteration of course and/or speed to avoid collision shall, if the circumstances of the case admit, be large enough to be readily apparent to another vessel observing visually or by radar; a succession of small alterations of course and/or speed should be avoided.

(36.052) (c) If there is sufficient sea room, alteration of course alone may be the most effective action to avoid a closequarters situation provided that it is made in good time, is substantial and does not result in another closequarters situation.

(36.053) (d) Action taken to avoid collision with another vessel shall be such as to result in passing at a safe distance. The effectiveness of the action shall be carefully checked until the other vessel is finally past and clear.

(36.054) (e) If necessary to avoid collision or allow more time to assess the situation, a vessel may slacken her speed or take all way off by stopping or reversing her means of propulsion.

(36.055) (f)(i) A vessel which, by any of these Rules, is required not to impede the passage or safe passage of another vessel shall, when required by the circumstances of the case, take early action to allow sufficient sea room for the safe passage of the other vessel.

(36.056) (ii) A vessel required not to impede the passage or safe passage of another vessel is not relieved of this obligation if approaching the other vessel so as to involve risk of collision and shall, when taking action, have full regard to the action which may be required by Rules 4 through 19.

(36.057) (iii) A vessel, the passage of which is not to be impeded remains fully obliged to comply with Rules 4 through 19 when the two vessels are approaching one another so as to involve risk of collision.

(36.058)

Rule 9—Narrow Channels

(36.059) (a) ‹‹(i)›› A vessel proceeding along the course of a narrow channel or fairway shall keep as near to the outer limit of the channel or fairway which lies on her starboard side as is safe and practicable.

(36.060)

Rule 9a (Inland)

(ii) Notwithstanding Rule 9(a)(i) and Rule 14(a), a power-driven vessel operating in narrow channel or fairway on the Great Lakes, Western Rivers, or waters specified by the Secretary, and proceeding downbound with a following current shall have the right-of-way over an upbound vessel, shall propose the manner and place of passage, and shall initiate the maneuvering signals prescribed by Rule 34(a)(i), as appropriate. The vessel proceeding upbound against the current shall hold as necessary to permit safe passing.

(36.061) (b) A vessel of less than 20 meters in length or a sailing vessel shall not impede the passage of a vessel ‹ which ›‹‹*that*›› can safely navigate only within a narrow channel or fairway.

(36.062) (c) A vessel engaged in fishing shall not impede the passage of any other vessel navigating within a narrow channel or fairway.

(36.063) (d) A vessel ‹ shall ›‹‹*must*›› not cross a narrow channel or fairway if such crossing impedes the passage of a vessel which can safely navigate only within that channel or fairway. The latter vessel ‹ may ›‹‹*must*›› use the signal prescribed in Rule 34(d) if in doubt as to the intention of the crossing vessel.

(36.064)

Rule 9e (International)

(e)(i) In a narrow channel or fairway when overtaking can take place only if the vessel to be overtaken has to take action to permit safe passing, the vessel intending to overtake shall indicate her intention by sounding the appropriate signal prescribed in Rule 34(c)(i). The vessel to be overtaken shall, if in agreement, sound the appropriate signal prescribed in Rule 34(c)(i) and take steps to permit safe passing. If in doubt she may sound the signals prescribed in Rule 34(d).

Rule 9e (Inland)

(e)(i) In a narrow channel or fairway when overtaking, the power-driven vessel intending to overtake another power-driven vessel shall indicate her intention by sounding the appropriate signal prescribed in Rule 34(c) ‹ (i) ›) and take steps to permit safe passing. The power-driven vessel being overtaken, if in agreement, shall sound the same signal prescribed in Rule 34(c) ‹ (i) › ‹‹ (ii) ›› and if specifically agreed to, take steps to permit safe passing. If in doubt she shall sound the signal prescribed in Rule 34(d).

(36.065) (e)(ii) This rule does not relieve the overtaking vessel of her obligation under Rule 13.

(36.066) (f) A vessel nearing a bend or an area of a narrow channel or fairway where other vessels may be obscured by an intervening obstruction shall navigate with particular alertness and caution and shall sound the appropriate signal prescribed in Rule 34(e).

(36.067) (g) Any vessel shall, if the circumstances of the case admit, avoid anchoring in a narrow channel.

(36.068)

Rule 10—Traffic Separation Schemes

(36.069) (a) This Rule applies to traffic separation schemes ‹ adopted by the Organization › and does not relieve any vessel of her obligation under any other rule.

(36.070) (b) A vessel using a traffic separation scheme shall:

(36.071) (i) Proceed in the appropriate traffic lane in the general direction of traffic flow for that lane.

(36.072) (ii) So far as is practicable keep clear of a traffic separation line or separation zone.

(36.073) (iii) Normally join or leave a traffic lane at the termination of the lane, but when joining or leaving from either side shall do so at as small an angle to the general direction of traffic flow as practicable.

(36.074) (c) A vessel, shall so far as practicable, avoid crossing traffic lanes but if obliged to do so shall cross on a heading as nearly as practicable at right angles to the general direction of traffic flow.

(36.075) (d)(i) A vessel shall not use an inshore traffic zone when she can safely use the appropriate traffic lane within the adjacent traffic separation scheme. However, vessels of less than 20 meters in length, sailing vessels and vessels engaged in fishing may use the inshore traffic zone.

(36.076) (ii) Notwithstanding Rule 10(d)(i), a vessel may use an inshore traffic zone when en route to or from a port, offshore installation or structure, pilot station or any other place situated within the inshore traffic zone, or to avoid immediate danger.

(36.077) (e) A vessel, other than a crossing vessel or a vessel joining or leaving a lane shall not normally enter a separation zone or cross a separation line except:

(36.078) (i) in cases of emergency to avoid immediate danger;

(36.079) (ii) to engage in fishing within a separation zone.

(36.080) (f) A vessel navigating in areas near the terminations of traffic separation schemes shall do so with particular caution.

(36.081) (g) A vessel shall so far as practicable avoid anchoring in a traffic separation scheme or in areas near its terminations.

(36.082) (h) A vessel not using a traffic separating scheme shall avoid it by as wide a margin as is practicable.

(36.083) (i) A vessel engaged in fishing shall not impede the passage of any vessel following a traffic lane.

(36.084) (j) A vessel of less than 20 meters in length or a sailing vessel shall not impede the safe passage of a power-driven vessel following a traffic lane.

(36.085) (k) A vessel restricted in her ability to maneuver when engaged in an operation for the maintenance of safety of navigation in a traffic separation scheme is exempted from complying with this Rule to the extent necessary to carry out the operation.

(36.086) (l) A vessel restricted in her ability to maneuver when engaged in an operation for the laying, servicing or picking up of a submarine cable, within a traffic separation scheme, is exempted from complying with this Rule to the extent necessary to carry out the operation.

(36.087)

II—Conduct of Vessels in Sight of One Another

(36.088)

Rule 11—Application

(36.089) Rules 11 through 18 apply to vessels in sight of one another.

(36.090)

Rule 12—Sailing Vessels

(36.091) (a) When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows:

(36.092) (i) when each has the wind on a different side, the vessel which has the wind on the port side shall keep out of the way of the other;

(36.093) (ii) when both have the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward;

(36.094) (iii) if a vessel with the wind on the port side sees a vessel to windward and cannot determine with certainty whether the other vessel has the wind on the port or on the starboard side, she shall keep out of the way of the other.

(36.095) (b) For the purposes of this Rule, the windward side shall be deemed to be the side opposite that on which the mainsail is carried or, in the case of a square-rigged vessel, the side opposite to that on which the largest foreand-aft sail is carried.

(36.096)

Rule 13—Overtaking

(36.097) (a) Notwithstanding anything contained in the Rules 4 through 18, any vessel overtaking any other shall keep out of the way of the vessel being overtaken.

(36.098) (b) A vessel shall be deemed to be overtaking when coming up with a another vessel from a direction more than 22.5 degrees abaft her beam, that is, in such a position with reference to the vessel she is overtaking, that at night she would be able to see only the sternlight of that vessel but neither of her sidelights.

(36.099) (c) When a vessel is in any doubt as to whether she is overtaking another, she shall assume that this is the case and act accordingly.

(36.100) (d) Any subsequent alteration of the bearing between the two vessels shall not make the overtaking vessel a crossing vessel within the meaning of these Rules or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

(36.101)

Rule 14—Head-on Situation

(36.102) (a) *‹‹Unless otherwise agreed››* when two powerdriven vessels are meeting on reciprocal or nearly reciprocal courses so as to involve risk of collision each shall alter her course to starboard so that each shall pass on the port side of the other.

(36.103) (b) Such a situation shall be deemed to exist when a vessel sees the other ahead or nearly ahead and by night she could see the masthead lights of the other in a line or nearly in a line and/or both sidelights and by day she observes the corresponding aspect of the other vessel.

(36.104) (c) When a vessel is in any doubt as to whether such a situation exists she shall assume that it does exist and act accordingly.

(36.105)

Rule 14d (Inland)

(d) Notwithstanding Rule 14(a), a power-driven vessel operating on the Great Lakes, Western Rivers, or waters specified by the Secretary, and proceeding downbound with a following current shall have the right-of-way over an upbound vessel, shall propose the manner of passage, and shall initiate the maneuvering signals prescribed by Rule 34(a)(i), as appropriate.

(36.106)

Rule 15—Crossing Situation

(36.107) (a) When two power-driven vessels are crossing so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way and shall, if the circumstances of the case admit, avoid crossing ahead of the other vessel.

(36.108)

Rule 15b (Inland)

(b) Notwithstanding Rule 15(a), on the Great Lakes, Western Rivers, or water specified by the Secretary, a power-driven vessel crossing a river shall keep out of the way of a power-driven vessel ascending or descending the river.

(36.109)

Rule 16—Action by Give-way Vessel

(36.110) Every vessel which is directed to keep out of the way of another vessel shall, so far as possible, take early and substantial action to keep well clear.

(36.111)

Rule 17—Action by Stand-on Vessel

(36.112) (a)(i) Where one of two vessels is to keep out of the way, the other shall keep her course and speed.

(36.113) (ii) The latter vessel may, however, take action to avoid collision by her maneuver alone, as soon as it becomes apparent to her that the vessel required to keep out of the way is not taking appropriate action in compliance with these Rules.

(36.114) (b) When, from any cause, the vessel required to keep her course and speed finds herself so close that collision cannot be avoided by the action of the giveway vessel alone, she shall take such action as will best aid to avoid collision.

(36.115) (c) A power-driven vessel which takes action in a crossing situation in accordance with Rule 17(a)(ii) to avoid collision with another power-driven vessel shall,

if the circumstances of the case admit, not alter course to port for a vessel on her own port side.

(36.116) (d) This Rule does not relieve the give-way vessel of her obligation to keep out of the way.

(36.117)

Rule 18—Responsibilities Between Vessels

(36.118) Except where Rules 9, 10, and 13 otherwise require:

(36.119) (a) A power-driven vessel underway shall keep out of the way of: (i) a vessel not under command; (ii) a vessel restricted in her ability to maneuver; (iii) a vessel engaged in fishing; (iv) a sailing vessel.

(36.120) (b) A sailing vessel underway shall keep out of the way of: (i) a vessel not under command; (ii) a vessel restricted in her ability to maneuver; (iii) a vessel engaged in fishing.

(36.121) (c) A vessel engaged in fishing when underway shall, so far as possible, keep out of the way of: (i) a vessel not under command; (ii) a vessel restricted in her ability to maneuver.

(36.122)

Rule 18d (International)

(d)(i) Any vessel other than a vessel not under command or a vessel restricted in her ability to maneuver shall, if the circumstances of the case admit, avoid impeding the safe passage of a vessel constrained by her draft, exhibiting the signals in Rule 28.

(ii) A vessel constrained by her draft shall navigate with particular caution having full regard to her special condition.

(36.123) (e) A seaplane on the water shall, in general, keep well clear of all vessels and avoid impeding their navigation. In circumstances, however, where risk of collision exists, she shall comply with Rules 4 through 19.

(36.124) (f)(i) A WIG craft shall, when taking off, landing and in flight near the surface, keep well clear of all other vessels and avoid impeding their navigation;

(36.125) (ii) a WIG craft operating on the water surface shall comply with Rules 4 through 19 as a power-driven vessel.

(36.126)

III—Conduct of Vessels in Restricted Visibility

(36.127)

Rule 19—Conduct of Vessels in Restricted Visibility

(36.128) (a) This Rule applies to vessels not in sight of one another when navigating in or near an area of restricted visibility.

(36.129) (b) Every vessel shall proceed at a safe speed adapted to the prevailing circumstances and conditions of restricted visibility. A power-driven vessel shall have her engines ready for immediate maneuver.

(36.130) (c) Every vessel shall have due regard to the prevailing circumstances and conditions of restricted visibility when complying with Rules 4 through 10.

(36.131) (d) A vessel which detects by radar alone the presence of another vessel shall determine if a closequarters situation is developing and/or risk of collision exists. If so, she shall take avoiding action in ample time, provided that when such action consists of an alteration in course, so far as possible the following shall be avoided:

(36.132) (i) An alteration of course to port for a vessel forward of the beam, other than for a vessel being overtaken;

(36.133) (ii) An alteration of course toward a vessel abeam or abaft the beam.

(36.134) (e) Except where it has been determined that a risk of collision does not exist, every vessel which hears apparently forward of her beam the fog signal of another vessel, or which cannot avoid a close-quarters situation with another vessel forward of her beam, shall reduce her speed to be the minimum at which she can be kept on her course. She shall if necessary take all her way off and in any event navigate with extreme caution until danger of collision is over.

(36.135)

Part C—Lights and Shapes

(36.136)

Rule 20—Application

(36.137) (a) Rules 20 through 31 shall be complied with in all weathers.

(36.138) (b) The Rules concerning lights shall be complied with from sunset to sunrise, and during such times no other lights shall be exhibited, except such lights which cannot be mistaken for the lights specified in these Rules or do not impair their visibility or distinctive character, or interfere with the keeping of a proper look-out.

(36.139) (c) The lights prescribed by these Rules shall, if carried, also be exhibited from sunrise to sunset in restricted visibility and may be exhibited in all other circumstances when it is deemed necessary.

(36.140) (d) The Rules concerning shapes shall be complied with by day.

(36.141) (e) The lights and shapes specified in these Rules shall comply with the provisions of Annex I of these Rules.

(36.142)

Rule 20f (Inland)

(f) A vessel's navigation lights and shapes may be lowered if necessary to pass under a bridge.

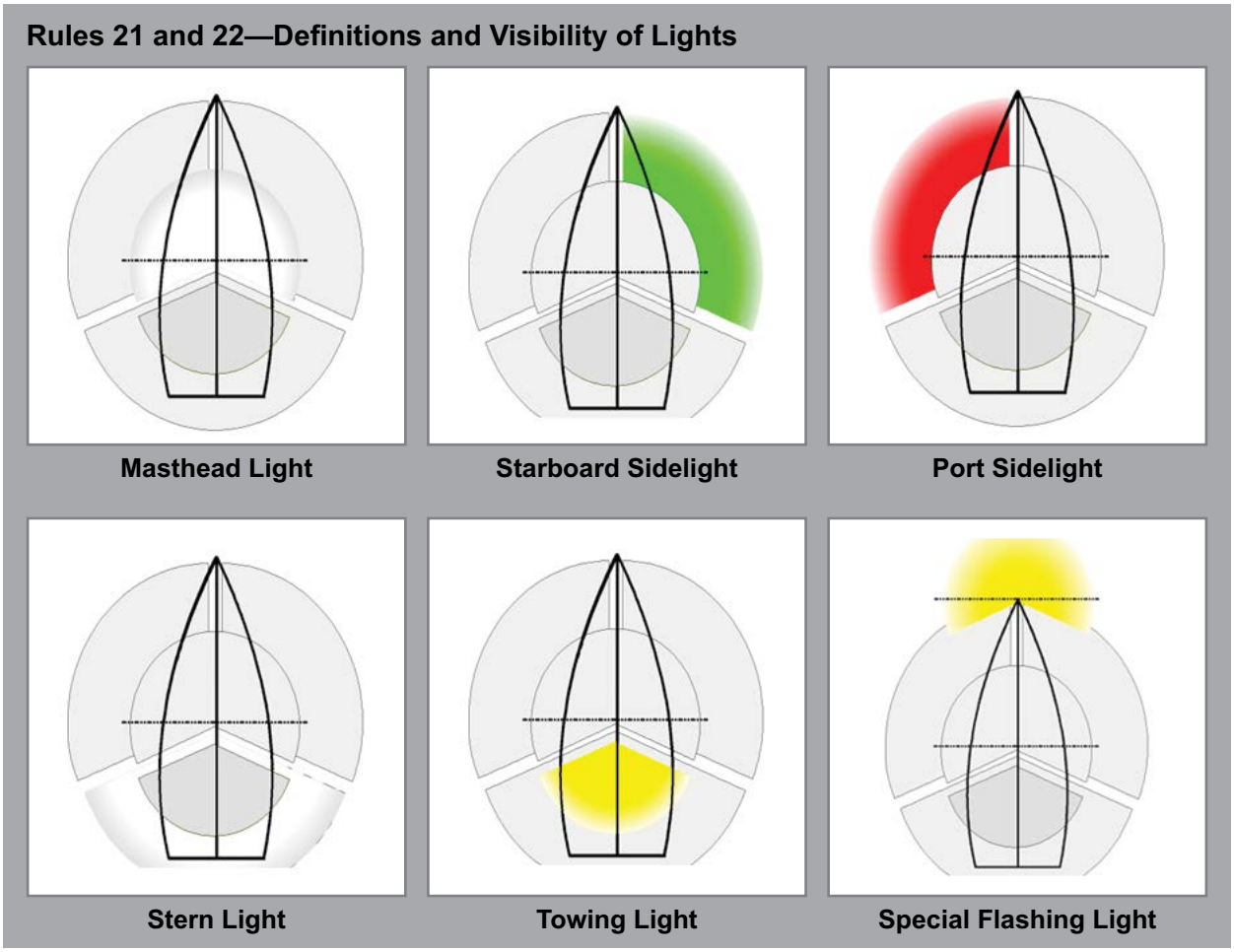
(36.143)

Rule 21—Definitions

(36.144) (a) "Masthead light" means a white light placed over the fore and aft centerline of the vessel showing an unbroken light over an arc of the horizon of 225° and so fixed as to show the light from right ahead to 22.5° abaft the beam on either side of the vessel *‹‹except that on a vessel of less than 12 meters in length the masthead light shall be placed as nearly as practicable to the fore and aft centerline of the vessel››*.

(36.145) (b) "Sidelights" means a green light on the starboardside and a red light on the port side each showing an unbroken light over an arc of the horizon of 112.5° and so fixed as to show the light from right ahead to 22.5°

(36.1570)



abaft the beam on its respective side. In a vessel of less than 20 meters in length the sidelights may be combined in one lantern carried on the fore and aft centerline of the vessel *‹‹, except that on a vessel of less than 12 meters in length the sidelights when combined in one lantern shall be placed as nearly as practicable to the fore and aft centerline of the vessel››*.

(36.146) (c) "Sternlight" means a white light placed as nearly as practicable at the stern showing an unbroken light over an arc of the horizon of 135° and so fixed as to show the light 67.5° from right aft on each side of the vessel.

(36.147) (d) "Towing light" means a yellow light having the same characteristics as the "sternlight" defined in Rule 21(c).

(36.148) (e) "All-round light" means a light showing an unbroken light over an arc of the horizon of 360°.

(36.149) (f) "Flashing light" means a light flashing at regular intervals at a frequency of 120 flashes or more per minute.

(36.150)

Rule 21g (Inland)

(g) "Special flashing light" means a yellow light flashing at regular intervals at a frequency of 50 to 70 flashes per minute, placed as far forward and as nearly as practicable on the fore and aft centerline of the tow and showing an unbroken light over an arc of the horizon of not less than 180 degrees nor more than 225 degrees and so fixed as to show the light from right ahead to abeam and no more than 22.5 degrees abaft the beam on either side of the vessel.

(36.151)

Rule 22—Visibility of Lights

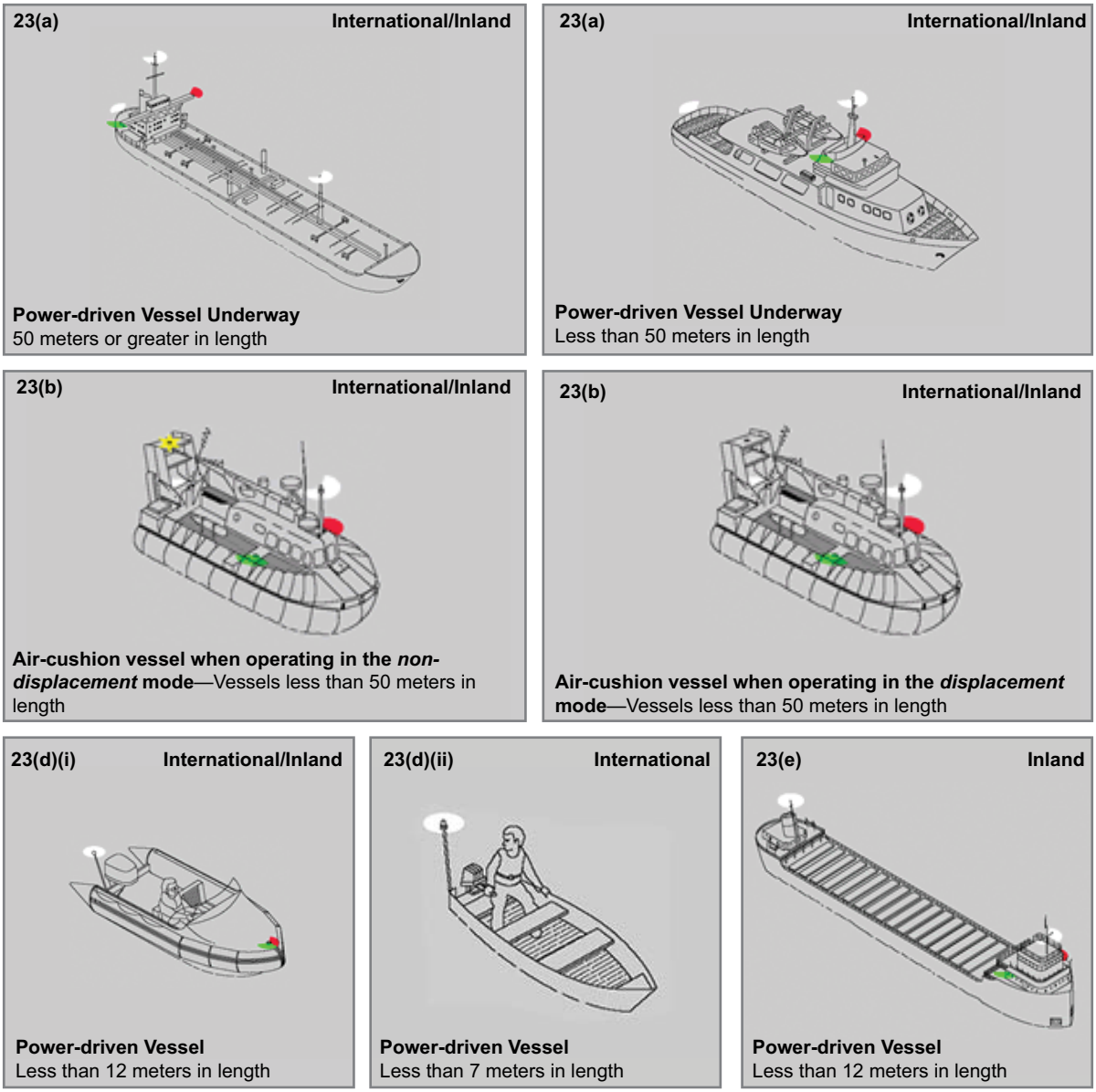
(36.152) The lights prescribed in Rules 20 through 31 shall have an intensity as specified in ‹§8 of › Annex I to these Rules so as to be visible at the following minimum ranges:

(36.153) (a) In vessels of 50 meters or more in length: (i) a masthead light, 6 miles; (ii) a sidelight, 3 miles; (iii) a towing light, 3 miles; (iv) a white red, green or yellow all-round light, 3 miles. *‹‹ (v) a special flashing light, 2 miles.››*

(36.154) (b) In vessels of 12 meters or more in length but less than 50 meters in length; (i) a masthead light, 5 miles; except that where the length of the vessel is less than 20 meters, 3 miles; (ii) a sidelight, 2 miles; (iii) a sternlight,

(36.1650)

Rule 23—Power-driven Vessels Underway



2 miles; (iv) a towing light, 2 miles; (v) a white, red, green or yellow all-round light, 2 miles. *‹‹(vi) a special flashing light, 2 miles.››*

(36.155) (c) In vessels of less than 12 meters in length: (i) a masthead light, 2 miles; (ii) a sidelight, 1 miles; (iii) a towing light, 2 miles; (iv) a white red, green or yellow all-round light, 2 miles. *‹‹(v) a special flashing light, 2 miles.››*

(36.156) (d) In inconspicuous, partly submerged vessels or objects being towed; (i) a white all-round light; 3 miles.

(36.158)

Rule 23—Power-driven Vessels Underway

(36.159) (a) A power-driven vessel underway shall exhibit: (i) a masthead light forward; (ii) a second masthead light abaft of and higher than the forward one; except that a vessel of less than 50 meters in length shall not be obliged to exhibit such a light but may do so; (iii) sidelights; and (iv) a sternlight.

(36.160) (b) An air-cushion vessel when operating in nondisplacement mode shall, in addition to the lights prescribed in Rule 23(a) Air Cushion Vessel in Displacement Mode, exhibit an all-round flashing yellow light *‹‹, where it can best be seen››*.

(36.161) (c) A WIG craft only when taking off, landing andin flight near the surface shall, in addition to the lights prescribed in Rule 23(a), exhibit a high intensity allround flashing red light.

(36.162) (d)(i) A power-driven vessel of less than 12 meters in length may in lieu of the lights prescribed in Rule 23(a) exhibit an all-round white light and sidelights.

(36.163)

Rule 23d (International)

(ii) a power-driven vessel of less than 7 meters in length whose maximum speed does not exceed 7 knots may in lieu of the lights prescribed in Rule 23(a) exhibit an all-round white light and shall, if practicable, also exhibit sidelights.

(iii) the masthead light or all-round white light on a power-driven vessel of less than 12 metres in length may be displaced from the fore and aft centre line of the vessel if centreline fitting is not practicable, provided that the sidelights are combined in one lantern which shall be carried on the fore and aft centre line of the vessel or located as nearly as practicable in the same fore and aft line as the masthead light or the all-round white light.

Rule 23e (Inland)

(e) A power-driven vessel when operating on the Great Lakes may carry an all-round white light in lieu of the second masthead light and sternlight prescribed in Rule 23(a). The light shall be carried in the position of the second masthead light and be visible at the same minimum range.

(36.164) Regulations containing specifics on **Law Enforcement** and **Public Safety Vessel** lighting are in **Annex V–Pilot Rules, 33 CFR 88.05 and 33 CFR 88.07**, chapter 2.

(36.166)

Rule 24—Towing and Pushing

(36.167) (a) A power-driven vessel when towing astern shall exhibit: (i) instead of the light prescribed in Rule 23(a)(i) or 23(a)(ii), two masthead lights in a vertical line. When the length of the tow, measuring from the stern of the towing vessel to the after end of the tow, exceeds 200 meters, three such lights in a vertical line; (ii) sidelights; (iii) a sternlight; (iv) a towing light in a vertical line above the sternlight; and (v) when the length of the tow exceeds 200 meters, a diamond shape where it can best be seen.

(36.168) (b) When a pushing vessel and a vessel being pushed ahead are rigidly connected in a composite unit they shall be regarded as a power-driven vessel and exhibit the lights prescribed in Rule 23.

(36.169) **Interpretive Rule**—See **33 CFR 90.3** and **33 CFR 82.3**, chapter 2, for regulations.

(36.170) (c) A power-driven vessel when pushing ahead or towing alongside, except ‹ in the case of a composite unit ›*‹‹as required by Rules 24(b) and (i)››*, shall exhibit: (i) instead of the light prescribed in Rule 23(a)(i) or 23(a)(ii), two masthead lights in a vertical line; (ii) sidelights; and (iii) ‹ a sternlight ›*‹‹two towing lights in a vertical line››*.

(36.171) (d) A power-driven vessel to which Rule 24(a) or (c) applies shall also comply with Rule *‹‹(a)(i) and››* (a)(ii).

(36.172) (e) A vessel or object being towed, other than those ‹ mentioned ›*‹‹referred››* in Rule 24(g), shall exhibit: (i) sidelights; (ii) a sternlight; (iii) when the length of the tow exceeds 200 meters, a diamond shape where it can best be seen.

(36.173) (f) Provided that any number of vessels being towed alongside or pushed in a group shall be lighted as one vessel *‹‹except as provided in Rule 24(f)(iii)››*.

(36.174) (i) a vessel being pushed ahead, not being part of a composite unit, shall exhibit at the forward end, sidelights, and *‹‹a special flashing light››*;

(36.175) (ii) a vessel being towed alongside shall exhibit a sternlight and at the forward end, sidelights, and *‹‹a special flashing light››*;

(36.176)

Rule 24f (Inland)

(iii) when vessels are towed alongside on both sides of the towing vessel a sternlight shall be exhibited on the stern of the outboard vessel on each side of the towing vessel, and a single set of sidelights as far forward and as far outboard as is practicable, and a single special flashing light;

(36.177) (g) An inconspicuous, partly submerged vessel or object, or combination of such vessels or objects being towed, shall exhibit:

(36.178) (i) if it is less than 25 meters in breadth, one all-round white light at or near the forward end and one at or near the after end except that dracones need not exhibit a light at or near ‹ the forward ›*‹‹each››* end.

(36.179)

Rule 24g (International)

(ii) if it is 25 meters or more in breadth, two or more additional all-round white lights at or near the extremities of its breadth;

Rule 24g (Inland)

(ii) if it is 25 meters or more in breadth, four all-round white lights to mark its length and breadth;

(36.180) (iii) if it exceeds 100 meters in length, additional allround white lights between the lights prescribed in Rule 24(g)(i) *‹‹and (ii)››* and so that the distance between the lights shall not exceed 100 meters. *‹‹Provided that any vessels or objects being towed alongside each other shall be lighted as one vessel or object››.*

(36.181) (iv) a diamond shape at or near the aftermost extremity of the last vessel or object being towed; and ‹ if the length of the tow exceeds 200 meters an additional diamond shape where it can best be seen and located as far forward as is practicable. ›

(36.182)

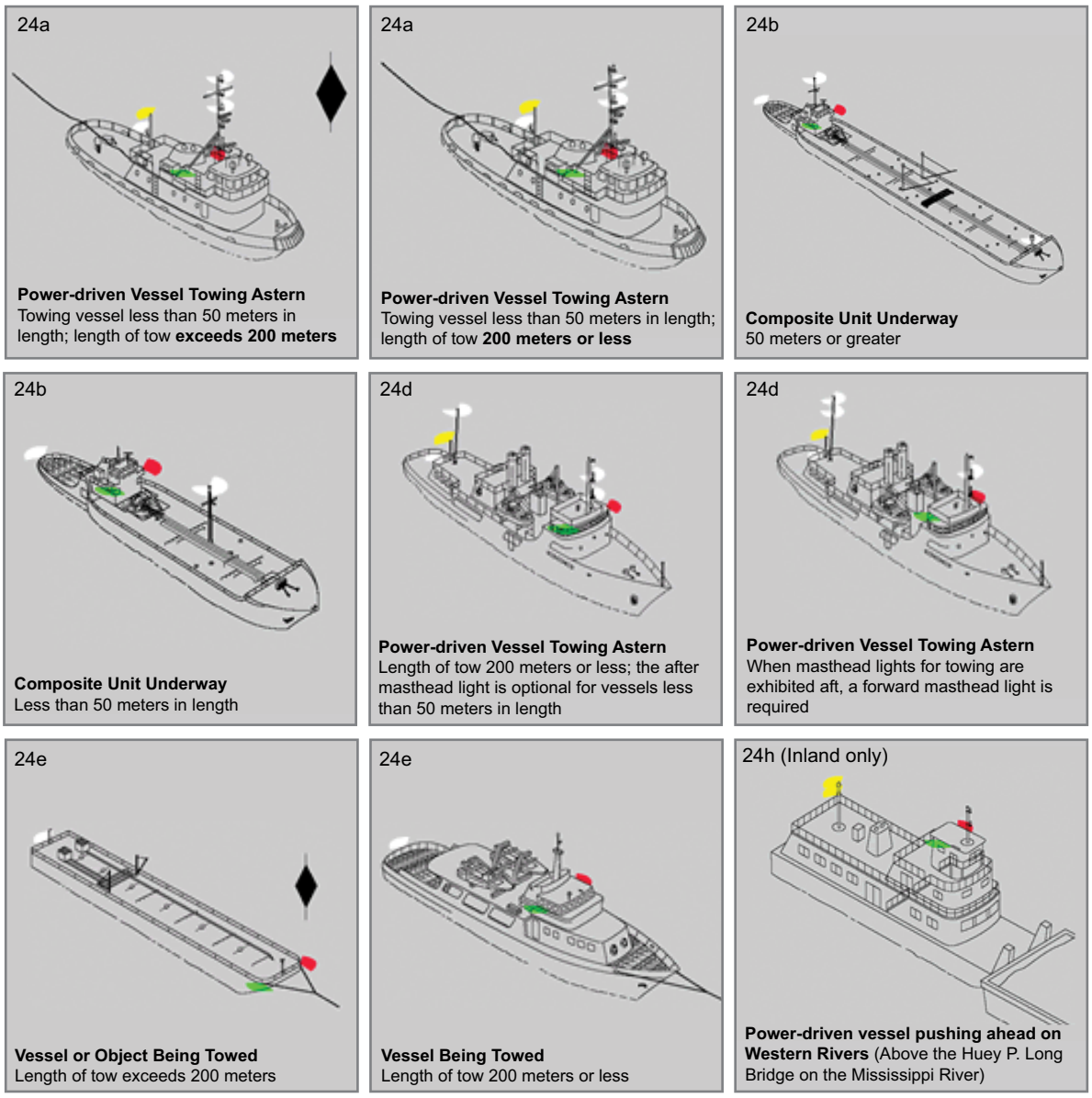
Rule 24g (Inland)

(v) the towing vessel may direct a searchlight in the direction of the tow to indicate its presence to an approaching vessel.

(36.183) (h) Where from any sufficient cause it is impracticable for a vessel or object being towed to exhibit the lights or shapes prescribed in Rule 24(e) or (g), all possible measures shall be taken to light the vessel or object towed or at least to indicate the presence of ‹ such ›*‹‹the unlighted››* vessel or object.

(36.1870)

Rule 24—Towing and Pushing (International/Inland)



(36.184) **Interpretive Rule**—See **33 CFR 90.7** and **33 CFR 82.7**, chapter 2, for regulations.

(36.185)

Rule 24h (Inland)

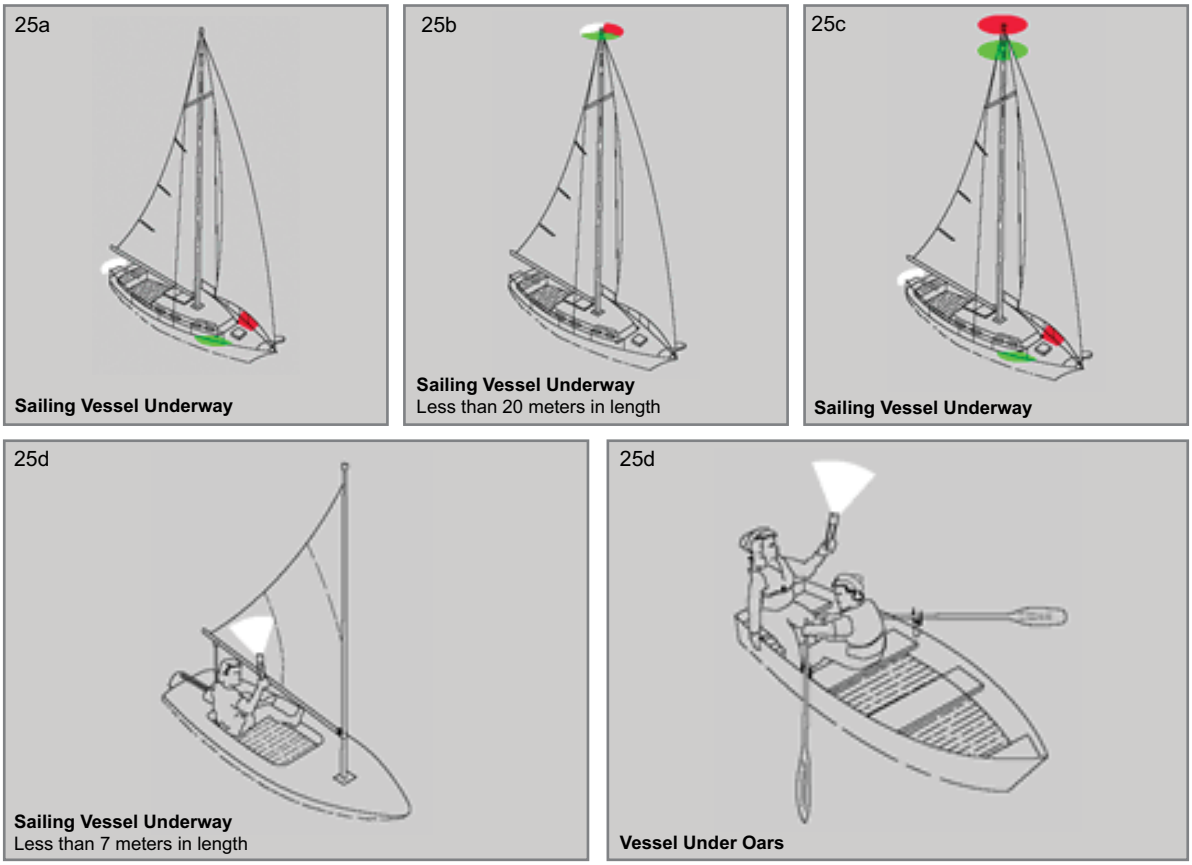
(i) Notwithstanding Rule 24(c), on the Western Rivers (except below the Huey P. Long Bridge on the Mississippi River) and on waters specified by the Secretary, a power-driven vessel when pushing ahead or towing alongside, except as Rule 24(b) applies, shall exhibit: (i) sidelights; and (ii) two towing lights in a vertical line.*

(36.186) In Rule 24h (Inland), waters other than those specified by the Secretary (33 CFR 89.25), are defined in 33 CFR 89.27, chapter 2.

(36.188) (i)‡(j) Where from any sufficient cause it is impracticable for a vessel not normally engaged in towing operations to display the lights prescribed in Rule 24(a), (c) *‹‹or (i)››*, such vessel shall not be required to exhibit those lights when engaged in towing another vessel in distress or otherwise in need of assistance. All possible measures shall be taken to indicate the nature of the relationship between the towing vessel and the vessel being towed ‹ as authorized by Rule 36, in particular by illuminating the towline *›‹and the vessel being assisted. The searchlight authorized by Rule 36 may be used to illuminate the tow››*.

(36.1960)

Rule 25—Sailing Vessels Underway and Vessels Under Oars (International/Inland)



(36.189)

Rule 25—Sailing Vessels Underway and Vessels Under Oars

(36.190) (a) A sailing vessel underway shall exhibit: (i) sidelights; (ii) a sternlight.

(36.191) (b) In a sailing vessel of less than 20 meters in length the lights prescribed in Rule 25(a) may be combined in one lantern carried at or near the top of the mast where it can best be seen.

(36.192) (c) A sailing vessel underway may, in addition to the lights prescribed in Rule 25(a), exhibit at or near the top of the mast, where they can best be seen, two allround lights in a vertical line, the upper being red and the lower green, but these lights shall not be exhibited in conjunction with the combined lantern permitted by Rule 25(b).

(36.193) (d)(i) A sailing vessel of less than 7 meter in length shall, if practicable, exhibit the lights prescribed in Rule 25(a) or (b), but if she does not, she shall *«exhibit an all around white light or»* have ready at hand an electric torch or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision.

(36.194) (ii) A vessel under oars may exhibit the lights prescribed in this rule for sailing vessels, but if she does not, she shall *«exhibit an all around white light or»* have ready at hand an electric torch or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision.

(36.195) (e) A vessel proceeding under sail when also being propelled by machinery shall exhibit forward where it can best be seen a conical shape, apex downwards. *«A vessel of less than 12 meters in length is not required to exhibit this shape, but may do so.»*

(36.197)

Rule 26—Fishing Vessels

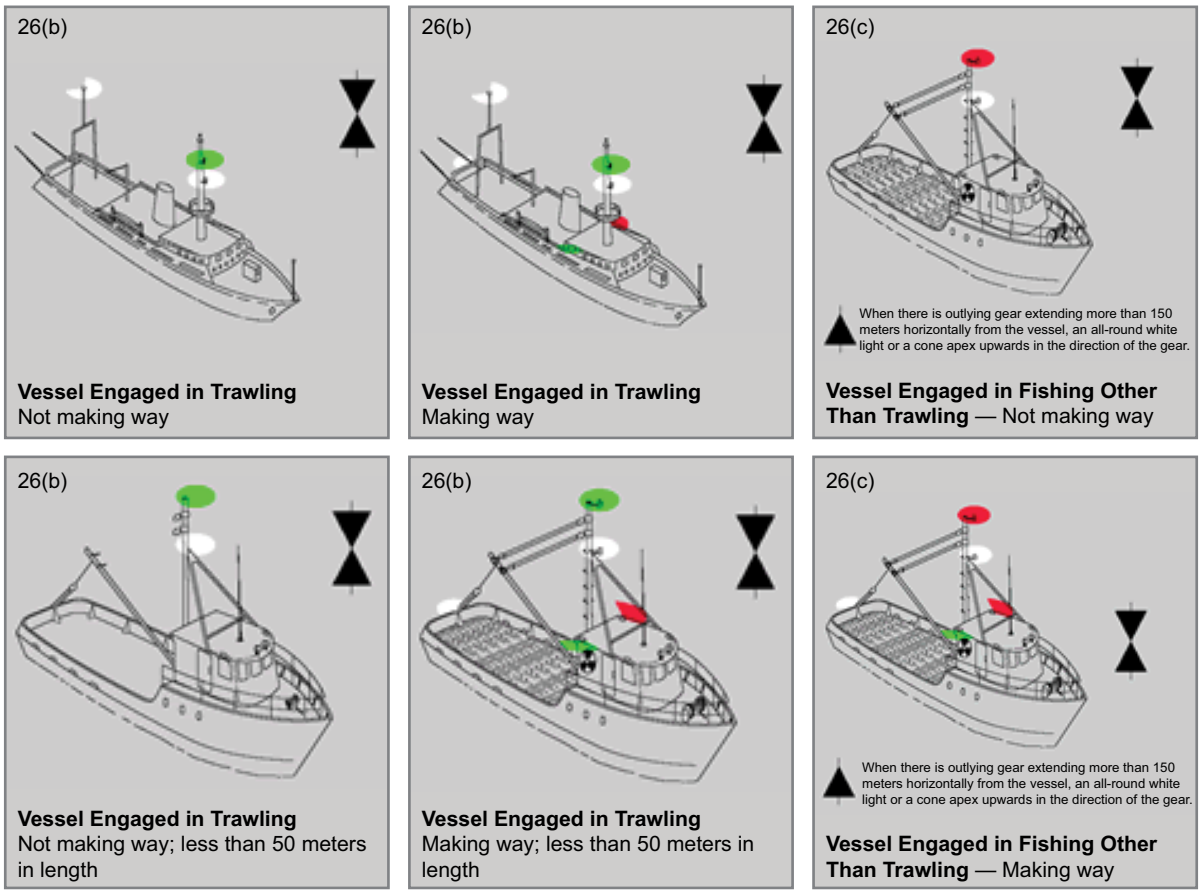
(36.198) (a) A vessel engaged in fishing, whether underway or at anchor, shall exhibit only the lights and shapes prescribed in this Rule.

(36.199) (b) A vessel when engaged in trawling, by which is meant the dragging through the water of a dredge net or other apparatus used as a fishing appliance, shall exhibit: (i) two all-round lights in a vertical line, the upper being green and the lower white, or a shape consisting of two cones with their apexes together in a vertical line one above the other; (ii) a masthead light abaft of and higher than the all-round green light; a vessel of less than 50 meters in length shall not be obliged to exhibit such a light but may do so; (iii) when making way through the water, in addition to the lights prescribed in this paragraph, sidelights and a sternlight.

(36.200) (c) A vessel engaged in fishing, other than trawling, shall exhibit: (i) two all-round lights in a vertical line, the

(36.21)

Rule 26—Fishing Vessels (International/Inland)



upper being red and the lower white, or a shape consisting of two cones with their apexes together in a vertical line one above the other; (ii) when there is outlying gear extending more than 150 meters horizontally from the vessel, an all-round white light or a cone apex upwards in the direction of the gear; (iii) when making way through the water, in addition to the lights prescribed in this paragraph, sidelights and a sternlight.

(36.201)

Rule 26d (International)

(d) The additional signals described in Annex II to these Regulations apply to a vessel engaged in fishing in close proximity to other vessels engaged in fishing.

(36.202) (e) A vessel ‹ when › not engaged in fishing shall not exhibit the lights or shapes prescribed in this Rule, but only those prescribed for a vessel of her length.

(36.203) (f) Additional signals for fishing vessels in close proximity. {Same as COLREGS Annex II, except where denoted by angle brackets}

(36.204) 1(i) The lights mentioned herein shall ‹,if exhibited in pursuance of Rule 26(d),› be placed where they can best be seen. They shall be at least 0.9 meters apart but at a lower level than lights prescribed in Rule 26. {(b)(i) and (c)(ii)} The lights shall be visible all around the horizon at a distance of at least 1 mile but at a lesser distance from the lights prescribed by ‹ these Rules ›*«§§(a) through (c) of this Rule»* for fishing vessels.

(36.205) 2(ii) Signals for trawlers.

(36.206) (a)(1) Vessels ‹of 20 meters or more in length› when engaged in trawling, whether using demersal or pelagic gear, ‹ shall ›*«may»* exhibit: (i)(A) when shooting their nets—two white lights in a vertical line; (ii)(B) when hauling their nets—one white light over one red light in a vertical line; (iii)(C) when the net has come fast upon an obstruction—two red lights in a vertical line.

(36.207) (b)(2) ‹ A ›*«Each»* vessel ‹of 20 meters or more in length› engaged in pair trawling ‹ shall ›*«may»* exhibit: (i)(A) by night, a searchlight directed forward and in the direction of the other vessel of the pair; (ii)(B) when shooting or hauling their nets or when their nets have come fast upon an obstruction, the lights prescribed in Rule 26{(f)(ii)}.

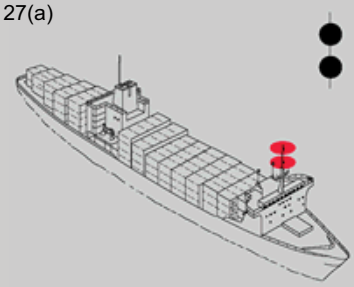
(36.208) 3(iii) Signals for purse seiners.

(36.209) (a)(1) Vessels engaged in fishing with purse seine gear may exhibit two yellow lights in a vertical line. These lights shall flash alternately every second and with equal light and occultation duration. These lights may be

(36.2210)

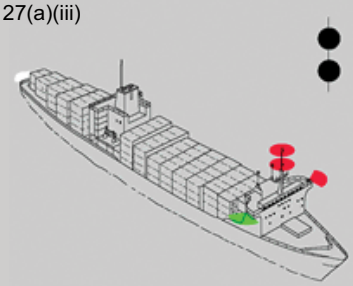
Rule 27—Vessels Not Under Command or Restricted in Their Ability to Maneuver (International/Inland)

27(a)



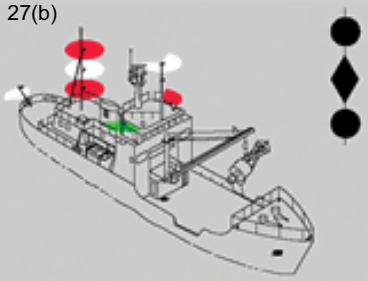
Vessel Not Under Command
Not making way

27(a)(iii)



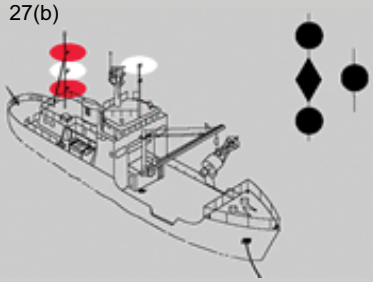
Vessel Not Under Command
Making way

27(b)



Vessel Restricted in Her Ability to Maneuver—Making way; less than 50 meters in length

27(b)

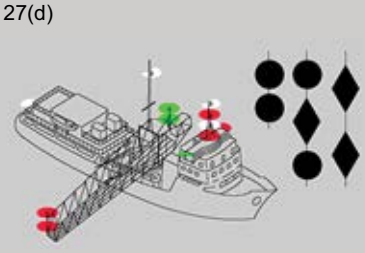


Vessel Restricted in Her Ability to Maneuver—At anchor; less than 50 meters in length

27(c)

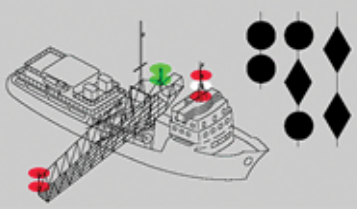
Vessel engaged in towing operation which severely restricts towing vessel and her tow in their ability to deviate from their course—Length of tow does not exceed 200 meters; towing vessel less than 50 meters in length.

27(d)



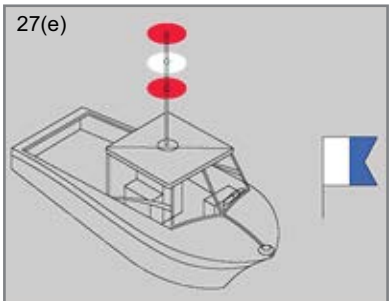
Vessel engaged in dredging or underwater operations when restricted in ability to maneuver—Making way with an obstruction on the starboard side.

27(d)



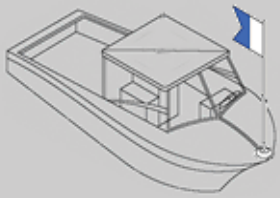
Vessel engaged in dredging or underwater operations when restricted in ability to maneuver—Not making way with an obstruction on the starboard side.

27(e)



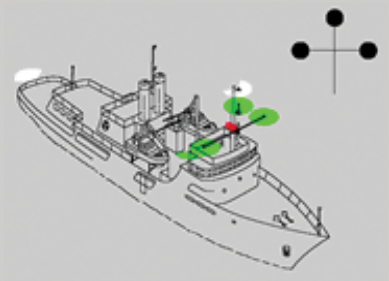
Small vessel engaged in diving operations

27(e)



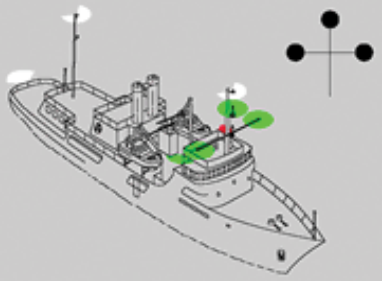
Small vessel engaged in diving operations

27(f)



Vessel engaged in mineclearance operations
Vessel less than 50 meters in length.

27(f)

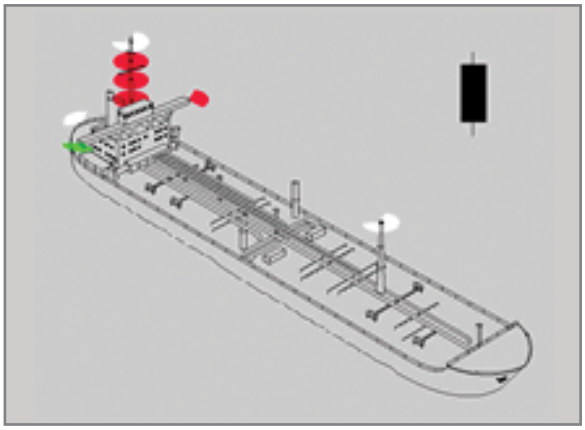


Vessel engaged in mineclearance operations
Vessel 50 meters or greater in length.

(36.2240)

Rule 28—Vessel Constrained by Their Draft (International)

A vessel constrained by her draft may, in addition to the lights prescribed for power-driven vessels in Rule 23, exhibit where they can best be seen three all-round red lights in a vertical line, or a cylinder.



exhibited only when the vessel is hampered by its fishing gear.

(36.211)

Rule 27—Vessels Not Under Command or Restricted in Their Ability to Maneuver

(36.212) (a) A vessel not under command shall exhibit: (i) two all-round red lights in a vertical line where they can best be seen; (ii) two balls or similar shapes in a vertical line where they can best be seen; (iii) when making way through the water, in addition to the lights prescribed in this paragraph, sidelights and a sternlight.

(36.213) (b) A vessel restricted in her ability to maneuver, except a vessel engaged in mineclearance operations, shall exhibit: (i) three all-round lights in a vertical line where they can best be seen. The highest and lowest of these lights shall be red and the middle light shall be white; (ii) three shapes in a vertical line where they can best be seen. The highest and lowest of these shapes shall be balls and the middle one a diamond; (iii) when makingway through the water, a masthead light(s), sidelights and a sternlight in addition to the lights prescribed in Rule 27(b)(i); (iv) when at anchor, in addition to the lights or shapes prescribed in Rule 27(b)(i) and (ii), the light, lights, or shapes prescribed in Rule 30.

(36.214) (c) A power-driven vessel engaged in a towing operation such as severely restricts the towing vessel and her tow in their ability to deviate from their course shall, in addition to the lights or shape prescribed in Rule 27(b)(i) and (ii), exhibit the lights or shape prescribed in Rule 24.

(36.215) (d) A vessel engaged in dredging or underwater operations, when restricted in her ability to maneuver, shall exhibit the lights and shapes prescribed in Rules 27(b)(i), (ii) and (iii) and shall in addition when an obstruction exists, exhibit: (i) two all-round red lights or two balls in a vertical line to indicate the side on which the obstruction exists; (ii) two all-round green lights or two diamonds in a vertical line to indicate the side on which another vessel may pass; and (iii) when at anchor, the lights or shapes prescribed in this paragraph instead of the lights or shapes prescribed in Rule 30.

(36.216)

Rule 27d (Inland)
(iv) Dredge pipelines that are floating or supported on trestles shall display the following lights at night and in periods of restricted visibility.
(1) One row of yellow lights. The lights must be: (A) flashing 50 to 70 times per minute, (B) visible all around the horizon, (C) visible for at least 2 miles, (D) not less than 1 and not more than 3.5 meters above the water, (E) approximately equally spaced, and (F) not more than 10 meters apart where the pipeline crosses a navigable channel. Where the pipeline does not cross a navigable channel the lights must be sufficient in number to clearly show the pipeline's length and course.
(2) Two red lights at each end of the pipeline, including the ends in a channel where the pipeline is separated to allow vessels to pass (whether open or closed). The lights must be: (A) visible all around the horizon, and (B) visible for at least 2 miles, and one meter apart in a vertical line with the lower light at the same height above the water as the flashing yellow light.

(36.217) (e) Whenever the size of a vessel engaged in diving operations makes it impracticable to exhibit all lights and shapes prescribed in Rule 27(d), the following shall be exhibited: (i) Three all-round lights in a vertical line where they can best be seen. The highest and lowest of these lights shall be red and the middle light shall be white; (ii) a rigid replica of the International Code flag "A" not less than 1 meter in height. Measures shall be taken to ensure its all-round visibility.

(36.218) (f) A vessel engaged in mine clearance operations shall, in addition to the lights prescribed for a power-driven vessel in Rule 23 or to the lights or shape prescribed for a vessel at anchor in Rule 30 as appropriate, exhibit three all-round green lights or three balls. One of these lights or shapes shall be exhibited near the foremast head and one at each end of the fore yard. These lights or shapes

indicate that it is dangerous for another vessel to approach within 1000 meters of the mineclearance vessel.

(36.219) (g) Vessels of less than 12 meters in length, except ‹ those ›*«when»* engaged in diving operations, ‹ shall not be ›*«is not»* required to exhibit the lights ‹ and ›*«or»* shapes prescribed in this Rule.

(36.220) (h) The signals prescribed in this Rule are not signals of vessels in distress and requiring assistance. Such signals are contained in Annex IV to these Rules.

(36.222)

Rule 28—Vessels Constrained by Their Draft

(36.223) See graphic, **Rule 28—Vessels Constrained by Their Draft**.

(36.225)

Rule 29—Pilot Vessels

(36.226) (a) A vessel engaged on pilotage duty shall exhibit: (i) at or near the masthead, two all-round lights in a vertical line, the upper being white and the lower red; (ii) when underway, in addition, sidelights and a sternlight; (iii) when at anchor, in addition to the lights prescribed in Rule 29(a)(i), the light, lights, or shape prescribed in Rule 30 for vessels at anchor.

(36.227) (b) A pilot vessel when not engaged on pilotage duty shall exhibit the lights or shapes prescribed for a similar vessel of her length.

(36.228)

Rule 30—Anchored Vessels and Vessels Aground

(36.229) (a) A vessel at anchor shall exhibit where it can best be seen: (i) in the fore part, an all-round white light or one ball; (ii) at or near the stern and at a lower level than the light prescribed in Rule 30(a)(i), an all-round white light.

(36.230) **Interpretive Rule**—See **33 CFR 90.5** and **33 CFR 82.5**, chapter 2, for regulations on vessels at anchor.

(36.231) (b) A vessel of less than 50 meters in length may exhibit an all-round white light where it can best be seen instead of the lights prescribed in Rule 30(a).

(36.232) (c) A vessel at anchor may, and a vessel of 100 meters and more in length shall, also use the available working or equivalent lights to illuminate her decks.

(36.233) (d) A vessel aground shall exhibit the lights prescribed in Rule 30(a) or (b) and in addition, if practicable, where they can best be seen: (i) two all-round red lights in a vertical line; (ii) three balls in a vertical line.

(36.234) (e) A vessel of less than 7 meters in length, when at anchor not in or near a narrow channel, fairway or where other vessels normally navigate, shall not be required to exhibit the lights or shape prescribed in Rule 30(a) and (b).

(36.235) (f) A vessel of less than 12 meters in length, when aground, shall not be required to exhibit the lights or shapes prescribed in Rule 30(d)(i) and (ii).

(36.236)

Rule 30 (Inland)

(g) A vessel of less than 20 meters in length, when at anchor in a special anchorage area designated by the Coast Guard, shall not be required to exhibit the anchor lights and shapes required by this Rule.

(h) The following barges shall display at night and if practicable in periods of restricted visibility the lights described in Rule 30(i):
(i) Every barge projecting into a buoyed or restricted channel.
(ii) Every barge so moored that it reduces the available navigable width of any channel to less than 80 meters.
(iii) Barges moored in groups more than two barges wide or to a maximum width of over 25 meters.
(iv) Every barge not moored parallel to the bank or dock.

(i) Barges described in Rule 30(h) shall carry two unobstructed all-round white lights of an intensity to be visible for at least 1 nautical mile and meeting the technical requirements as prescribed in Annex I.

(j) A barge or a group of barges at anchor or made fast to one or more mooring buoys or other similar device, in lieu of the provisions of Rule 30, may carry unobstructed all-round white lights of an intensity to be visible for at least 1 nautical mile that meet the requirements of Annex I and shall be arranged as follows:
(i) Any barge that projects from a group formation, shall be lighted on its outboard corners.
(ii) On a single barge moored in water where other vessels normally navigate on both sides of the barge, lights shall be placed to mark the corner extremities of the barge.
(iii) On barges moored in group formation, moored in water where other vessels normally navigate on both sides of the group, lights shall be placed to mark the corner extremities of the group.

(k) The following are exempt from the requirements of Rule 30:
(i) A barge or group of barges moored in a slip or slough used primarily for mooring purposes.
(ii) A barge or group of barges moored behind a pierhead.
(iii) A barge less than 20 meters in length when moored in a special anchorage area designated in accordance with 33 CFR 109.10.

(l) Barges moored in well-illuminated areas are exempt from the lighting requirements of Rule 30. These areas are as follows:

CHICAGO SANITARY SHIP CANAL

(1) Mile 293.2 to 293.9
(2) Mile 295.2 to 296.1
(3) Mile 297.5 to 297.8
(4) Mile 298 to 298.2
(5) Mile 298.6 to 298.8
(6) Mile 299.3 to 299.4
(7) Mile 299.8 to 300.5
(8) Mile 303 to 303.2
(9) Mile 303.7 to 303.9
(10) Mile 305.7 to 305.8
(11) Mile 310.7 to 310.9
(12) Mile 311 to 311.2
(13) Mile 312.5 to 312.6
(14) Mile 313.8 to 314.2
(15) Mile 314.6
(16) Mile 314.8 to 315.3
(17) Mile 315.7 to 316
(18) Mile 316.8
(19) Mile 316.85 to 317.05
(20) Mile 317.5
(21) Mile 318.4 to 318.9
(22) Mile 318.7 to 318.8
(23) Mile 320 to 320.3
(24) Mile 320.6
(25) Mile 322.3 to 322.4
(26) Mile 322.8
(27) Mile 322.9 to 327.2

CALUMET SAG CHANNEL

(28) Mile 316.5

Rule 30 (Inland)	
LITTLE CALUMET RIVER	
(29) Mile 321.2	*(30) Mile 322.3*
CALUMET RIVER	
(31) Mile 328.5 to 328.7	*(34) Mile 331.4 to 331.6*
(32) Mile 329.2 to 329.4	*(35) Mile 332.2 to 332.4*
(33) Mile 330 west bank to 330.2	*(36) Mile 332.6 to 332.8*
CUMBERLAND RIVER	
(37) Mile 126.8	*(38) Mile 191*

(36.237)

Rule 31—Seaplanes

(36.238) Where it is impracticable for a seaplane or a WIG craft to exhibit lights or shapes of the characteristics or in the positions prescribed in Rules 20 through 31 she shall exhibit lights and shapes as closely similar in characteristics and position as is possible.

(36.239)

Part D—Sound and Light Signals

(36.240)

Rule 32—Definitions

(36.241) (a) The word "whistle" means any sound signaling appliance capable of producing the prescribed blasts and which complies with the specifications in Annex III to these Rules.

(36.242) (b) The term "short blast" means a blast of about one seconds duration.

(36.243) (c) The term "prolonged blast" means a blast of from four to six seconds duration.

(36.244)

Rule 33—Equipment for Sound Signals

(36.245) (a) A vessel of 12 meters or more in length shall be provided with a whistle, a vessel of 20 meters or more in length shall be provided with a bell in addition to a whistle, and a vessel of 100 meters or more in length shall, in addition be provided with a gong, the tone and sound of which cannot be confused with that of the bell. The whistle, bell and gong shall comply with the specifications in Annex III to these Regulations. The bell or gong or both may be replaced by other equipment having the same respective sound characteristics, provided that manual sounding of the prescribed signals shall always be possible.

(36.246) (b) A vessel of less than 12 meters in length shall not be obliged to carry the sound signaling appliances prescribed in Rule 33(a) but if she does not, she shall be provided with some other means of making an efficient signal.

(36.247)

Rule 34—Maneuvering and Warning Signs

International

(a) When vessels are in sight of one, a power-driven vessel underway, when maneuvering as authorized or required by these Rules, shall indicate that manoeuvre by the following signals on her whistle:
–One short blasts to mean “I am altering my course to starboard”
–Two short blasts to mean “I am altering my course to port”
–Three short blasts to mean “I am operating astern propulsion”

(b) Any vessel may supplement the whistle signals prescribed in Rule 34(a) by light signals, repeated as appropriate, while the maneuver is being carried out:
(i) these signals shall have the following significance:
(ii) the duration of each flash shall be about one second, the interval between flashes shall be about one second, and the interval between successive signals shall not be less than ten seconds.
(iii) the light used for this signal shall, if fitted, be an all-round white, visible at a minimum range of 5 miles, and shall comply with the provisions of Annex I to these Regulations.
–One flash to mean “I am altering my course to starboard”
–Two flashes to mean I am altering my course to port”
–Three flashes to mean “I am operating astern propulsion”.

(c) When in sight of one another in a narrow channel or fairway:
(i) a vessel intending to overtake another shall in compliance with Rule 9(e)(i) indicate her intention by the following signals on her whistle:
–Two prolonged blasts followed by one short blast to mean “I intend to overtake you on your starboard side”
–Two prolonged blasts followed by two short blasts to mean “I intend to overtake you on your port side”.
(ii) the vessel about to be overtaken when acting in accordance with Rule 9(e)(i) shall indicate her agreement by the following signal on her whistle:
–one prolonged, one short, one prolonged and one short blast, in that order.

(d) When vessels in sight of one another are approaching each other and from any cause either vessel fails to understand the intentions or actions of the other, or is in doubt whether sufficient action is being taken by the other to avoid collision, the vessel in doubt shall immediately indicate such doubt by giving at least five short and rapid blasts on the whistle. Such signal may be supplemented by at least five short and rapid flashes.

(e) A vessel nearing a bend or an area of a channel or fairway where other vessels may be obscured by an intervening obstruction shall sound one prolonged blast. This signal shall be answered with a prolonged blast by any approaching vessel that may be within hearing around the bend or behind the intervening obstruction.

(f) If whistles are fitted on a vessel at a distance apart of more than 100 meters, one whistle only shall be used for giving maneuvering and warning signals.

Inland

Rule 34—Maneuvering and Warning Signs

Rule 34—Maneuvering and Warning Signs

(a) When power-driven vessels are in sight of one another and meeting or crossing at a distance within half a mile of each other, each vessel underway, when maneuvering as authorized or required by these Rules,
(i) shall indicate that maneuver by the following signals on her whistle:
–One short blasts to mean "I intend to leave you on my port side"
–Two short blasts to mean "I intend to leave you on my starboard side"
–Three short blasts to mean "I am operating astern propulsion"
(ii) upon hearing the one or two blast signal of the other shall, if in agreement, sound the same whistle signal and take the steps necessary to effect a safe passing. If, however, from any cause, the vessel doubts the safety of the proposed maneuver, she shall sound the signal specified in Rule 34(d) and each vessel shall take appropriate precautionary action until a safe passing agreement is made

(b) Any vessel may supplement the whistle signals prescribed in Rule 34(a) by light signals:
(i) these signals shall have the following significance:
(ii) the duration of each flash shall be about one second.
(iii) the light used for this signal shall, if fitted, be an all-round white or yellow, visible at a minimum range of 2 miles, synchronized with the whistle and shall comply with the provisions of Annex I to these Regulations.
–One flash to mean "I intend to leave you on my port side"
–Two flashes to mean "I intend to leave you on my starboard side"
–Three flashes to mean "I am operating astern propulsion"

(c) When in sight of one another:
(i) a power-driven vessel intending to overtake another power-driven vessel shall indicate her intention by the following signals on her whistle:
–One short blast to mean "I intend to overtake you on your starboard side"
–Two short blasts to mean "I intend to overtake you on your port side"
(ii) the power-driven vessel about to be overtaken shall, if in agreement, sound a similar sound signal. If in doubt she shall sound the signal prescribed in Rule 34(d).

(d) When vessels in sight of one another are approaching each other and from any cause either vessel fails to understand the intentions or actions of the other, or is in doubt whether sufficient action is being taken by the other to avoid collision, the vessel in doubt shall immediately indicate such doubt by giving at least five short and rapid blasts on the whistle. Such signal may be supplemented by at least five short and rapid flashes.

(e) A vessel nearing a bend or an area of a channel or fairway where other vessels may be obscured by an intervening obstruction shall sound one prolonged blast. This signal shall be answered with a prolonged blast by any approaching vessel that may be within hearing around the bend or behind the intervening obstruction.

(f) If whistles are fitted on a vessel at a distance apart of more than 100 meters, one whistle only shall be used for giving maneuvering and warning signals.

(g) When a power-driven vessel is leaving a dock or berth, she shall sound one prolonged blast.

Rule 34—Maneuvering and Warning Signs

(h) A vessel that reaches agreement with another vessel in a head-on, crossing, or overtaking situation, as for example, by using the radiotelephone as prescribed by the Vessel Bridge-to-Bridge Radiotelephone Act (85 Stat. 164; 33 U.S.C. 1201 et seq.), is not obliged to sound the whistle signals prescribed by this Rule, but may do so. If agreement is not reached, then whistle signals shall be exchanged in a timely manner and shall prevail.

(36.248)

Rule 35—Sound Signals in Restricted Visibility

(36.249) In or near an area of restricted visibility, whether by day or night the signals prescribed in this Rule shall be used as follows:

(36.250) (a) A power-driven vessel making way through the water shall sound at intervals of not more than 2 minutes one prolonged blast.

(36.251) (b) A power-driven vessel underway but stopped and making no way through the water shall sound at intervals of no more than 2 minutes two prolonged blasts in succession with an interval of about 2 seconds between them.

(36.252) (c) A vessel not under command, a vessel restricted in her ability to maneuver «whether underway or at anchor», ‹ a vessel constrained by her draft › , a sailing vessel, a vessel engaged in fishing and a vessel engaged in towing or pushing another vessel shall, instead of the signals prescribed in Rule 35(a) or (b), sound at intervals of not more than 2 minutes three blasts in succession, namely one prolonged followed by two short blasts.

(36.253)

Rule 35d (International)

(d) A vessel engaged in fishing, when at anchor, and a vessel restricted in her ability to maneuver when carrying out her work at anchor, shall instead of the signals prescribed in Rule 35(g) sound the signal prescribed in Rule 35(c).

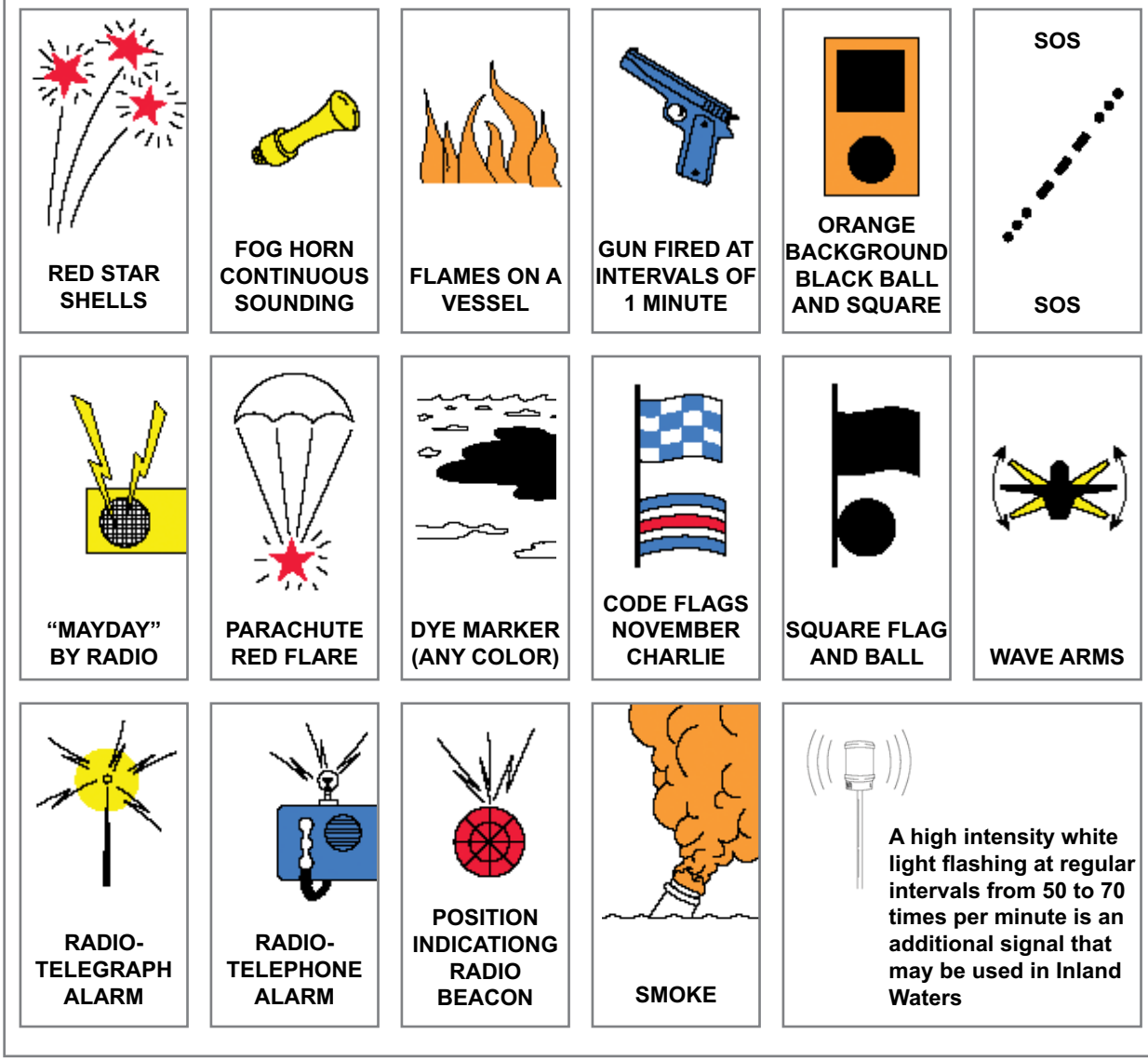
(36.254) (e) A vessel towed or if more than one vessel is towed the last vessel of the tow, if manned, shall at intervals of not more than 2 minutes sound four blasts in succession, namely one prolonged followed by three short blasts. When practicable, this signal shall be made immediately after the signal made by the towing vessel.

(36.255) (f) When a pushing vessel and a vessel being pushed ahead are rigidly connected in a composite unit they shall 418 ¢ U.S. Coast Pilot 1, Appendix C 16 SEP 2018 be regarded as a power-driven vessel and shall give the signals prescribed in Rule 35(a) or (b).

(36.256) (g) A vessel at anchor shall at intervals of not more than 1 minute ring the bell rapidly for about 5 seconds. In a vessel 100 meters or more in length the bell shall be sounded in the forepart of the vessel and immediately after the ringing of the bell the gong shall be sounded rapidly for about 5 seconds in the after part of the vessel. A vessel at anchor may in addition sound three blasts in succession, namely one short, one long and one short

(36.2670)

Rule 37—Distress Signals (International/Inland)



blast, to give warning of her position and of the possibility of collision to an approaching vessel.

(36.257) (h) A vessel aground shall give the bell signal and if required the gong signal prescribed in Rule 35(g) and shall, in addition, give three separate and distinct strokes on the bell immediately before and after the rapid ringing of the bell. A vessel aground may in addition sound an appropriate whistle signal.

(36.258) (i) A vessel of 12 meters or more but less than 20 meters in length shall not be obliged to give the bell signals prescribed in Rule 35(g) and (h). However, if she does not, she shall make some other efficient sound signal at intervals of not more than 2 minutes.

(36.259) (j) A vessel of less than 12 meters in length shall not be obliged to give the above mentioned signals but, if she does not, shall make some other efficient sound signal at intervals of not more than 2 minutes.

(36.260) (k) A pilot vessel when engaged on pilotage duty may, in addition to the signals prescribed in Rule 35(a), (b) or (g), sound an identity signal consisting of four short blasts.

(36.261)

Rule 35 (Inland)
(l) The following vessels shall not be required to sound signals as prescribed in Rule 35(g) when anchored in a special anchorage area designated by the Coast Guard:
(i) a vessel of less than 20 meters in length; and
(ii) a barge, canal boat, scow, or other nondescript craft.

(36.262)

Rule 36—Signals to Attract Attention

(36.263) If necessary to attract the attention of another vessel, any vessel may make light or sound signals that cannot be mistaken for any signal authorized elsewhere in these

Rules, or may direct the beam of her searchlight in the direction of the danger, in such a way as not to embarrass any vessel.

(36.264)

Rule 36 (International)

Any light to attract the attention of another vessel shall be such that it cannot be mistaken for any aid to navigation. For the purpose of this Rule the use of high intensity intermittent or revolving lights, such as strobe lights, shall be avoided.

(36.265)

Rule 37—Distress Signals

(36.266) When a vessel is in distress and requires assistance she shall use or exhibit the signals described in Annex IV to these Rules. (See graphic, **Rule 37—Distress Signals**).

(36.268)

Part E—Exemptions

(36.269)

Rule 38—Exemptions

International

Any vessel (or class of vessel) provided that she complies with the requirements of — the International Regulations for the Preventing of Collisions at Sea, 1960, the keel of which is laid or is at a corresponding stage of construction before the entry into force of these Regulations may be exempted from compliance therewith as follows:

(a) The installation of lights with ranges prescribed in Rule 22, until 4 years after the date of entry into force of these Regulations.

(b) The installation of lights with color specifications as prescribed in §7 of Annex I to these Regulations, until 4 years after the entry into force of these Regulations.

(c) The repositioning of lights as a result of conversion from Imperial to metric units and rounding off measurement figures, permanent exemption.

(d)(i) The repositioning of masthead lights on vessels of less than 150 meters in length, resulting from the prescriptions of §3 (a) of Annex I to these Regulations, permanent exemption.
(ii) The repositioning of masthead lights on vessels of 150 meters or more in length, resulting from the prescriptions of §3 (a) of Annex I to these Regulations, until 9 years after the date of entry into force of these Regulations.

(e) The repositioning of masthead lights resulting from the prescriptions of §2(b) of Annex I to these Regulations, until 9 years after the date of entry into force of these Regulations.

(f) The repositioning of sidelights resulting from the prescriptions of §2(g) and 3(b) of Annex I to these Regulations, until 9 years after the date of entry into force of these Regulations.

(g) The requirements for sound signal appliances prescribed in Annex II to these Regulations, until 9 years after the date of entry into force of these Regulations.

(h) The repositioning of all-round lights resulting from the prescription of §9(b) of Annex I to these Regulations, permanent exemption.

Inland

Rule 38—Exemptions

Any vessel or class of vessels, the keel of which was laid or which is at a corresponding stage of construction before December 24, 1980, provided that she complies with the requirements of—

(a) The Act of June 7, 1897 (30 Stat. 96), as amended (33 U.S.C. 154-232) for vessels navigating the waters subject to that statute;

(b) §4233 of the Revised Statutes (33 U.S.C. 301-356) for vessels navigating the waters subject to that statute;

(c) The Act of February 8, 1895 (28 Stat. 645), as amended (33 U.S.C. 241-295) for vessels navigating the waters subject to that statute; or

(d) §§3, 4, and 5 of the Act of April 25, 1940 (54 Stat. 163), as amended (46 U.S.C. 526 b, c, and d) for motorboats navigating the waters subject to that statute; shall be exempted from compliance with the technical Annexes to these Rules as follows:
(i) The installation of lights with ranges prescribed in Rule 22, vessels of less than 20 meters in length are permanently exempt;
(ii) The installation of lights with color specifications as prescribed in §7 of Annex I to these Rules, until 4 years after the effective date of the Inland Navigational Rules Act of 1980 (Pub. L. 96-591), except that vessels of less than 20 meters in length are permanently exempt;
(iii) The repositioning of lights as a result of a conversion to metric units and rounding off of measurement figures, are permanently exempt.
(iv) The horizontal repositioning of masthead lights prescribed by Annex I to these Rules, vessels of less than 150 meters in length are permanently exempted.
(v) Power-driven vessels of 12 meters or more but less than 20 meters in length are permanently exempt from the provisions of Rule 23(a)(i) and 23(a)(iv) provided that, in place of these lights, the vessel exhibits a white light aft visible all-around the horizon.

(36.270) **Implementing Rule**—See **33 CFR 81.20**, chapter 2, for regulations.

(36.271)

Part F—Verification of Compliance with the Provisions of the Convention

(36.272)

Rule 39—Definitions

(36.273)

Rule 39 (International)

(a) "Audit" means a systematic, independent and documented process for obtaining audit evidence and evaluating it objectively to determine the extent to which audit criteria are fulfilled.

(b) "Audit Scheme" means the IMO Member State Audit Scheme established by the Organization and taking into account the guidelines developed by the Organization*.

(c) "Code for Implementation" means the IMO Instruments Implementation Code (III Code) adopted by the Organization by resolution A.1070(28).

(d) "Audit Standard" means the Code for Implementation.

(36.274)

Rule 40—Application

(36.275)

Rule 40 (International)

Contracting Parties shall use the provisions of the Code for Implementation in the execution of their obligations and responsibilities contained in the present Convention.

(36.276)

Rule 41—Verification of Compliance

(36.277)

Rule 41 (International)

(a) Every Contracting Party shall be subject to periodic audits by the Organization in accordance with the audit standard to verify compliance with and implementation of the present Convention.

(b) The Secretary-General of the Organization shall have responsibility for administering the Audit Scheme, based on the guidelines developed by the Organization*.

(c) Every Contracting Party shall have responsibility for facilitating the conduct of the audit and implementation of a programme of actions to address the findings, based on the guidelines developed by the Organization*.

(d) Audit of all Contracting Parties shall be:

(i) based on an overall schedule developed by the Secretary-General of the Organization, taking into account the guidelines developed by the Organization*; and

(ii) conducted at periodic intervals, taking into account the guidelines developed by the Organization*.

* Refer to the Framework and Procedures for the IMO Member State Audit Scheme, adopted by the Organization by resolution A.1067(28).

(36.278)

Annex I—Positioning and Technical Details of Lights and Shapes

(36.279)

Definitions

(36.280) (a) The term "height above the hull" means height above the uppermost continuous deck. This height shall be measured from the position vertically beneath the location of the light.

(36.281)

Annex I (Inland)

(b) High-speed craft means a craft capable of maximum speed in meters per second (m/s) equal to or exceeding: $3.7\nabla^{0.1667}$; where ∇ = displacement corresponding to the design waterline (cubic meters).

Note: The same formula expressed in pounds and knots is maximum speed in knots (kts) equal to exceeding 1.98(lbs) $3.7\nabla^{0.1667}$; where ∇ =displacement corresponding to design waterline in pounds.

Annex I (Inland)

(c) The term "practical cut-off" means, for vessels 20 meters or more in length, 12.5 percent of the minimum luminous intensity (Table 14(b)) corresponding to the greatest range of visibility for which the requirements of Annex I are met.

(d) The term "Rule" or "Rules" has the same meaning as in Rule 3(r).

(36.282)

Vertical Positioning and Spacing of Lights

(36.283) (a) On a power-driven vessel of 20 meters or more in length the masthead light shall be placed as follows: (i) The forward masthead light, or if only one masthead light is carried, then that light, at a height above the hull of not less than ‹ 6 ›*«5»* meters, and, if the breadth of the vessel exceeds ‹ 6 ›*«5»* meters, then at a height above the hull not less than such breadth, so however that the light need not be placed at a greater height above the hull than ‹ 12 ›*«8»* meters; (ii) when two masthead lights are carried the after one shall be at least ‹ 4.5 ›*«2»* meters vertically higher than the forward one.

(36.284) (b) The vertical separation of the masthead lights of power-driven vessels shall be such that in all normal conditions of trim the after light will be seen over and separate from the forward light at a distance of 1000 meters from the stem when viewed from ‹ sea ›*«water»* level.

(36.285) (c) The masthead light of a power-driven vessel of 12 meters but less than 20 meters in length shall be placed at a height above the gunwale of not less than 2.5 meters.

(36.286)

Annex I (International)

(d) A power-driven vessel of less than 12 meters in length may carry the uppermost light at a height of less than 2.5 meters above the gunwale. When, however, a masthead light is carried in addition to sidelights and a sternlight or the all-round light prescribed in Rule 23(d)(i) is carried in addition to sidelights, then such masthead light or all-round light shall be carried at least 1 meter higher than the sidelights.

Annex I (Inland)

(d) The masthead light, or the all-round light described in Rule 23(d), of a power-driven vessel of less than 12 meters in length shall be carried at least 1 meter higher than the sidelights.

(36.287) (e) One of the two or three masthead lights prescribed for a power-driven vessel when engaged in towing or pushing another vessel shall be placed in the same position as either the forward masthead light or the after masthead light, provided that ‹ , if carried on the after mast, › the lowest after masthead light shall be at least ‹ 4.5 ›*«2»* meters vertically higher than the *«highest»* forward masthead light.

(36.288) (f)(i) The masthead lights or lights prescribed in Rule 23(a) shall be so placed as to be above and clear of

all other lights and obstructions except as described in §(f)(ii).

(36.289) (ii) When it is impracticable to carry the all-round lights prescribed by Rule 27(b)(i) ‹ or Rule 28 › below the masthead lights, they may be carried above the after masthead light(s) or vertically in between the forward masthead light(s) and after masthead light(s), provided that in the latter case the requirement of §3(c) shall be complied with.

(36.290) (g) The sidelights of a power-driven vessel shall be placed at ‹ a height above the hull not greater than three quarters of that ›*«least 1 meter lower»* of ‹ the ›*« than »* forward masthead light. They shall not be so low as to be interfered with by deck lights.

(36.291)

Annex I (International)

(h) The sidelights, if in a combined lantern and carried on a power-driven vessel of less than 20 meters in length, shall be placed not less than 1 meter below the masthead light.

(36.292) (i) When the Rules prescribe two or three lights to be carried in a vertical line, they shall be spaced as follows: (i) On a vessel of 20 meters in length or more such lights shall be spaced not less than 1 meter apart, and the lowest of these lights shall, except where a towing light is required, be placed at a height of not less than 4 meters above the hull. (ii) On a vessel of less than 20 meters in length such lights shall be spaced not less than 1 meter apart and the lowest of these lights shall, except where a towing light is required, be placed at a height of not less than 2 meters above the gunwale. (iii) When three lights are carried they shall be equally spaced.

(36.293) (j) The lower of the two all-round lights prescribed for a vessel when engaged in fishing shall be at a height above the sidelights not less than twice the distance between the two vertical lights.

(36.294) (k) The forward anchor light prescribed in Rule 30(a)(i), when two are carried, shall not be less than 4.5 meters above the after one. On a vessel of 50 meters or more in length this forward anchor light shall be placed at a height or not less than 6 meters above the hull.

(36.295)

Horizontal Positioning and Spacing of Lights

(36.296) (a)*«Except as specified in §1(e), »* when two masthead lights are prescribed for a power-driven vessel, the horizontal distance between them must not be less than one- ‹ quarter ›*«half»* of the length of the vessel but need not be more than ‹ 100 ›*«50»* meters. The forward light must be placed not more than one- ‹ quarter ›*«half»* of the length of the vessel from the stem.

(36.297) (b) On a power-driven vessel of 20 meters or more in length the sidelights shall not be placed in front of the forward masthead lights. They shall be placed at or near the side of the vessel.

(36.298) (c) When the lights prescribed in Rule 27(b)(i) ‹or Rule 28 › are placed vertically between the forward masthead light(s) and the after masthead light(s), these all-round lights shall be placed at a horizontal distance of not less than 2 meters from the fore and aft centerline of the vessel in the athwartship direction.

(36.299) (d) When only one masthead light is prescribed for a power-driven vessel, this light must be exhibited forward of amidships. For a vessel of less than 20 meters in length, the vessel shall exhibit one masthead light as far forward as is practicable.

(36.300)

Annex I (Inland)

(e) On power-driven vessels 50 meters but less than 60 meters in length operated on the Western Rivers, and those { waters specified by the Secretary }, the horizontal distance between masthead lights shall not be less than 10 meters.

(36.301)

Details of Location of Direction-Indicating Lights for Fishing Vessels, Dredgers and Vessels Engaged in Underwater Operations

(36.302) (a) The light indicating the direction of the outlying gear from a vessel engaged in fishing as prescribed in Rule 26(c)(ii) shall be placed at a horizontal distance of not less than 2 meters and not more than 6 meters away from the two all-round red and white lights. This light shall be placed not higher than the all-round white light prescribed in Rule 26(c)(i) and not lower than the sidelights.

(36.303) (b) The lights and shapes on a vessel engaged in dredging or underwater operations to indicate the obstructed side and/or the side on which it is safe to pass, as prescribed in Rule 27(d)(i) and (ii), shall be placed at the maximum practical horizontal distance, but in no case less than 2 meters, from the lights or shapes prescribed in Rule 27(b)(i) and (ii). In no case shall the upper of theselights or shapes be at a greater height than the lower of the three lights or shapes prescribed in Rule 27(b)(i) and (ii).

(36.304)

Screens ‹ For Sidelights ›

(36.305) (a) The sidelights of vessels of 20 meters or more in length shall be fitted with ‹inboard screens painted› matt black,*«inboard screens»* and meet ‹ ing › the requirements of §‹9›*«15»*. On vessels of less than 20 meters in length, the sidelights, if necessary to meet the requirements of §‹9›*«15»*, shall be fitted with ‹inboard› matt black *«inboard»* screens. With a combined lantern, using a single vertical filament and a very narrow division between the green and red sections, external screens need not be fitted.

(36.306)

Annex I (Inland)

(b) On power-driven vessels less than 12 meters in length constructed after July 31, 1983, the masthead light, or the all-round light described in Rule 23(d) shall be screened to prevent direct illumination of the vessel forward of the operator's position.

(36.307)

Shapes

(36.308) (a) Shapes shall be black and of the following sizes: (i) A ball shall have a diameter of not less than 0.6 meter; (ii) a cone shall have a base diameter of not less than 0.6 meter‹s› and a height equal to its diameter; ‹ (iii) a cylinder shall have a diameter of at least 0.6 meter and a height of twice its diameter; › (iv)╪(iii) a diamond shape shall consist of two cones as defined in §(a)(ii) having a common base.

(36.309) (b) The vertical distance between shapes shall be at least 1.5 meter ‹ s ›.

(36.310) (c) In a vessel of less than 20 meters in length shapes of lesser dimensions but commensurate with the size of the vessel may be used and the distance apart may be correspondingly reduced.

(36.311)

Color Specification of Lights

(36.312) (a) The chromaticity of all navigation lights shall conform to the following standards, which lie within the boundaries of the area of the diagram specified for each color by the International Commission on Illumination (CIE). ‹ , in the "Colors of Light Signals", which is incorporated by reference. It is Publication CIE No. 2.2. (TC-1.6), 1975, and is available from the Illumination Engineering Society, 345 East 47th Street, New York, NY 10017 and is available for inspection at the Coast Guard, Shore Infrastructure Logistics Center, Aids to Navigation and Marine Environmental Response Product Line (CGSILC-ATON/MER), 2703 Martin Luther King, Jr. Ave SE, Mailstop 7714, Washington, DC 20593-7714. It is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html*. This incorporation by reference was approved by the Director of the Federal Register. ›

(36.313) (b) The boundaries of the area for each color are given by indicating the corner coordinates, which are as follows:

(36.314)

(i) White						
x	0.525	0.525	0.452	0.310	0.310	0.443
y	0.382	0.440	0.440	0.348	0.283	0.382
(ii) Green						
x	0.028	0.009	0.300	0.203		
y	0.385	0.723	0.511	0.356		
(iii) Red						
x	0.680	0.660	0.735	0.721		
y	0.320	0.320	0.265	0.259		
(iv) Yellow						
x	0.612	0.618	0.575	0.575		
y	0.382	0.382	0.425	0.406		

(36.315)

Intensity of Lights

(36.316) (a) The minimum luminous intensity of lights shall be calculated by using the formula:

(36.317)

$I = 3.43 \times 10^6 \times T \times D^2 \times K^{-D}$
I is luminous intensity in candelas under service conditions.
T is threshold factor 2×10^{-7} lux.
D is range of visibility (luminous range) of the light in nautical miles.
K is atmospheric transmissivity. For prescribed lights the value of K shall be 0.8, corresponding to a meteorological visibility of approximately 13 miles.

(36.318) (b) A selection of figures derived from the formula is given in the following table:

(36.319)

Range of visibility (luminous range) of light in nautical miles D	Minimum luminous intensity of light in candelas for K = 0.8 I
1	0.9
2	4.3
3	12
4	27
5	52
6	94

(36.320) ‹ Note: The maximum luminous intensity of navigation lights should be limited to avoid undue glare. This shall not be achieved by a variable control of the luminous intensity. ›

(36.321)

Horizontal Sectors

(36.322) (a)(i) In the forward direction, sidelights as fitted on the vessel shall show the minimum required intensities. The intensities shall decrease to reach practical cut-off between 1 and one degrees outside the prescribed sectors.

(36.323) (ii) For sternlights and masthead lights and at 22.5 degrees abaft the beam for sidelights, the minimum required intensities shall be maintained over the arc of the horizon up to 5 degrees within the limits of the sectors prescribed in Rule 21. From 5 degrees within the prescribed sectors the intensity may decrease by 50 percent up to the prescribed limits; it shall decrease steadily to reach practical cut-off at not more than 5 degrees outside the prescribed sectors.

(36.324) (b)(i) All-round lights shall be so located as not to be obscured by masts, topmasts or structures within angular sectors of more than 6 degrees, except anchor

lights prescribed in Rule 30, which need not be placed at an impracticable height above the hull *« , and the allround white light described in Rule 23(e), which may not be obscured at all»*.

(36.325) (ii) If it is impracticable to comply with §(b)(i) by exhibiting only one all-round light, two all-round lights shall be used suitably positioned or screened so that they *«to»* appear, as far as practicable, as one light at a *«minimum»* distance of 1 «nautical» mile.

(36.326) *«Note: Two unscreened all-round lights that are 1.28 meters apart or less will appear as one light to the naked eye at a distance of 1 nautical mile.»*

(36.327)

Vertical Sectors

(36.328) (a) The vertical sectors of electric lights as fitted, with the exception of lights on sailing vessels underway *«and on unmanned barges»*, shall ensure that: (i) At least the required minimum intensity is maintained at all angles from 5 degrees above to 5 degrees below the horizontal; (ii) at least 60 percent of the required minimum intensity is maintained from 7.5 degrees above to 7.5 degrees below the horizontal.

(36.329) (b) In the case of sailing vessels underway the vertical sectors of electric lights as fitted shall ensure that: (i) At least the required minimum intensity is maintained at all angles from 5 degrees above to 5 degrees below the horizontal; (ii) at least 50 percent of the required minimum intensity is maintained from 25 degrees above to 25 degrees below the horizontal.

(36.330)

Annex I (Inland)
(c) In the case of unmanned barges the minimum required intensity of electric lights as fitted shall be maintained on the horizontal.

(36.331) (c)╪(d) In the case of lights other than electric lights these specifications shall be met as closely as possible.

(36.332)

Intensity of Non-electric Lights

(36.333) Non-electric lights shall so far as practicable comply with the minimum intensities, as specified in the *« Intensity of Lights »* Table.

(36.334)

Maneuvering Light

(36.335) *«Notwithstanding the provisions of §2(f)»*, the maneuvering light described in Rule 34(b) shall be placed *«approximately»* in the same fore and aft vertical plane as the masthead light or lights and, where practicable, at a minimum height of ‹2›*«1.5»* meter vertically above the forward masthead light, provided that it shall be carried not less than ‹2›*«1.5»* meter vertically above or below the after masthead light. On a vessel where only one masthead light is carried, the maneuvering light, if fitted, shall be carried where it can best be seen, not less than ‹2›*«1.5»* meters vertically apart from the masthead light.

(36.336)

High-speed Craft

(36.337) (a) The masthead light of high-speed craft may be placed at a height related to the breadth*«of the craft»* lower than that prescribed in §2(a)(i), provided that the base angle of the isosceles triangle formed by the sidelights and masthead light when seen in end elevation is not less than 27 degrees.

(36.338) (b) On high-speed craft of 50 meters or more in length, the vertical separation between foremast and mainmast light of 4.5 meters required by §‹ 2(a)(ii) ›*«2(k)»* may be modified provided that such distance shall not be less than the value determined by the following formula:

(36.339)

$$y = \frac{y = (a+17\Psi)\ C}{1000} + 2$$

y the height of the mainmast light above the foremast light in meters.
a is the height of the foremast light above the water surface in service condition in meters
Y is the trim in service condition in degrees.
C is the horizontal separation of masthead lights in meters.
Note: Refer to the International Code of Safety for High-Speed Craft, 1994 and the International Code of Safety for High-Speed Craft, 2000.

(36.340)

Approval

(36.341) The construction of lights and shapes and the installation of lights on board the vessel ‹ shall be to the satisfaction of the appropriate authority of the State whose flag the vessel is entitled to fly ›*«must satisfy the Commandant, U. S. Coast Guard»*.

(36.342)

Annex II—Additional Signals for Fishing Vessels Fishing in Close Proximity

(36.343) See Rule 26(f).

(36.344)

Annex III—Technical Details of Sound Signal Appliances

(36.345) (a) Frequencies and range of audibility. The fundamental frequency of the signal shall lie within the range 70-700 Hz. The range of audibility of the signal from a whistle shall be determined by those frequencies, which may include the fundamental and/or one or more higher frequencies, which lie within the range 180-700 Hz (+/- 1 percent) for a vessel of 20 meters or more in length, or 180-2100 Hz (+/- 1 percent) for a vessel of less than 20 meters in length and which provide the sound pressure levels specified in §1(c).

(36.346) (b) Limits of fundamental frequencies. To ensure a wide variety of whistle characteristics, the fundamental frequency of a whistle shall be between the following

limits: (i) 70-200 Hz, for a vessel 200 meters or more in length; (ii) 130-350 Hz, for a vessel 75 meters but less than 200 meters in length; (iii) 250-700 Hz, for a vessel less than 75 meters in length.

(36.347) (c) Sound signal intensity and range of audibility. A whistle fitted in a vessel shall provide, in the direction of maximum intensity of the whistle and at a distance of 1 meter from it, a sound pressure level in at least one onethird octave band within the range of frequencies 180-700 Hz (+/- 1 percent) for a vessel of 20 meters ‹ or more in length, or 180-2100 Hz (+/- 1 percent) for a vessel of less than 20 meters in length ›, of not less than the appropriate figure given in the table below.

(36.348)

Length of vessel in meters	One-third octave band level at 1 meter in dB referred to 2 x 10^{-5}N/m^2	Audible range in nautical miles
200 or more	143	2
75 but less than 200	138	1.5
75 but less than 200	130	1
Less than 20	120* 115** 111***	0.5

* When the measured frequencies lie within the range 180-450 Hz
** When the measured frequencies lie within the range 450-800 Hz
*** When the measured frequencies lie within the range 800-2100 Hz

(36.349) The range of audibility in the table is for information and is approximately the range at which a whistle may be heard on its forward axis with 90 percent probability in conditions of still air on board a vessel having average background noise level at the listening posts (taken to be 68 dB in the octave band centered on 250 Hz and 63 dB in the octave band centered on 500 Hz). *«It is shown for informational purposes only.»* In practice, the range at which a whistle may be heard is extremely variable and depends critically on weather conditions; the values given can be regarded as typical but under conditions of strong wind or high ambient noise level at the listening post the range may be reduced.

(36.350) (d) Directional properties. The sound pressure level of a directional whistle shall be not more than 4 dB below the ‹prescribed› sound pressure level ‹on the axis at›, *«specified in §(c)»* any direction in the horizontal plane within +/- 45 degrees of the axis. The sound pressure level at *«of the whistle in»*any other direction in the horizontal plane shall be not more than 10 dB ‹below the prescribed›*«less than the»* sound pressure level ‹on the›*«specified for the forward»* axis, so that the range *«audibility»* in any direction will be at least half the range *«required»* on the forward axis. The sound pressure level shall be measured in that one-third octave band which determines the audibility range.

(36.351) (e) Positioning of whistles.

(36.352) (i) When a directional whistle is to be used as the only whistle on ‹ a vessel, it shall be installed with its maximum intensity directed straight ahead ›*«the vessel and is permanently installed, it shall be installed with its forward axis directed forward»*.

(36.353) (ii) A whistle shall be placed as high as practicable on a vessel, in order to reduce interception of the emitted sound by obstructions and also to minimize hearing damage risk to personnel. The sound pressure level of the vessel's own signal at listening posts shall not exceed 110 dB(A) and so far as practicable should not exceed 100 dB(A).

(36.354) (f) Fitting of more than one whistle. If whistles are fitted at a distance apart of more than 100 meters, ‹it shall be so arranged that they are›*«they shall»* not *«be»* sounded simultaneously.

(36.355)

Annex IIIg (International)

(g) Combined whistle systems.

If due to the presence of obstructions the sound field of a single whistle or of one of the whistles referred to in §(f) is likely to have a zone of greatly reduced signal level, it is recommended that a combined whistle system be fitted so as to overcome this reduction. The whistles of a combined system shall be located at a distance apart of not more than 100 meters and arranged to be sounded simultaneously. The frequency of any one whistle shall differ from those of the others by at least 10 Hz.

Annex IIIg (Inland)

(g) Combined whistle systems.

(i) A combined whistle system is a number of whistles (sound emitting sources) operated together. For the purposes of the Rules a combined whistle system is to be regarded as a single whistle.

(ii) The whistles of a combined system shall:

(1) Be located at a distance apart of not more than 100 meters;

(2) Be sounded simultaneously;

(3) Each have a fundamental frequency different from those of the others by at least 10 Hz; and

(4) Have a tonal characteristic appropriate for the length of vessel which shall be evidenced by at least 2-thirds of the whistles in the combined system having fundamental frequencies falling within the limits prescribed in §(b) of this section, or if there are only two whistles in the combined system, by the higher fundamental frequency falling within the limits prescribed in paragraph (b) of this section.

Note: If, due to the presence of obstructions, the sound field of a single whistle or of one of the whistles referred to in §(f) of this section is likely to have a zone of greatly reduced signal level, a combined whistle system should be fitted so as to overcome this reduction.

(36.356) For the purposes of the Rules a combined whistle system is to be regarded as a single whistle. ‹ (ii) › The whistles of a combined system shall:

(36.357) (1) Be located at a distance apart of not more than 100 meters;

(36.358)

Annex III(h) (Inland)

(h) Towing vessel whistles

A power-driven vessel normally engaged in pushing ahead or towing alongside may, at all times, use a whistle whose characteristic falls within the limits prescribed by §1(b) for the longest customary composite length of the vessel and its tow.

(36.359)

Bell or Gong

(36.360) (a) Intensity of signal. A bell or gong, or other device having similar sound characteristics shall produce a sound pressure level of not less than 110 dB at ‹ a distance of › 1 meter ‹ from it ›.

(36.361) (b) Construction. Bells and gongs shall be made of corrosion-resistant material and designed to give clear tone. The diameter of the mouth of the bell shall be not less than 300 mm for vessels of 20 meters or more in length. Where practicable, a power-driven bell striker is recommended to ensure constant force but manual operation shall be possible. The mass of the striker shall be not less than 3 percent of the mass of the bell.

(36.362)

Approval

(36.363)

Annex III (International)

The construction of sound signal appliances, their performance and their installation on board the vessel shall be to the satisfaction of the appropriate authority of the State whose flag the vessel is entitled to fly.

(36.364)

Annex IV—Distress Signals

(36.365)

« Need of Assistance »

(36.366) The following signals, used or exhibited either together or separately, indicate distress and need of assistance:

(36.367) (a) a gun or other explosive signal fired at intervals of about a minute;

(36.368) (b) a continuous sounding with any fog-signaling apparatus;

(36.369) (c) rockets or shells, throwing red stars fired one at a time at short intervals;

(36.370) (d) a signal made by any signaling method consisting of the group . . . ––– . . . (SOS) in the Morse Code;

(36.371) (e) a signal sent by radiotelephony consisting of the spoken word “Mayday”;

(36.372) (f) the International Code Signal of distress indicated by N.C.;

(36.373) (g) a signal consisting of a square flag having above or below it a ball or anything resembling a ball;

(36.374) (h) flames on the vessel (as from a burning tar barrel, oil barrel, etc.);

(36.375) (i) a rocket parachute flare or a hand flare showing a red light;

(36.376) (j) a smoke signal giving off orange-colored smoke;

(36.377) (k) slowly and repeatedly raising and lowering arms outstretched to each side;

(36.378) (l) a distress alert by means of digital selective calling (DSC) transmitted on: (i) VHF channel 70, or (ii) MF/HF on the frequencies 2187.5 kHz, 8414.5 kHz, 4207.5 kHz, 6312 kHz, 12577 kHz or 16804.5 kHz;

(36.379) (m) a ship-to-shore distress alert transmitted by the ship’s Inmarsat or other mobile satellite service provider ship earth station;

(36.380) (n) signals transmitted by emergency positionindicating radio beacons;

(36.381) (o) approved signals transmitted by radiocommunication systems, including survival craft radar transponders *«meeting the requirements of 47 CFR 80.109»*.

(36.382) *«(p) A high intensity white light flashing at regular intervals from 50 to 70 times per minute.»*

(36.383)

« Exclusive Use »

(36.384) The use or exhibition of any of the foregoing signals except for the purpose of indicating distress and need of assistance and the use of other signals which may be confused with any of the above signals is prohibited.

(36.385)

« Supplemental Signals »

(36.386) Attention is drawn to the relevant sections of the International Code of Signals, the International Aeronautical and Maritime Search and Rescue Manual, Volume III, ‹ the International Telecommunication Union Radio Regulations, › and the following signals:

(36.387) (a) A piece of orange-colored canvas with either a black square and circle or other appropriate symbol (for identification from the air);

(36.388) (b) A dye marker.

(36.389)

Annex V—Pilot Rules

(36.390) See **33 CFR 88**, chapter 2, for regulations.

(36.391)

Implementing Rules

(36.392) **Alternative Compliance**—see **33 CFR 81** and **33 CFR 89**, chapter 2, for regulations.

(36.393) **Vessel Bridge-to-Bridge Radiotelephone Regulations**—see **33 CFR 26**, chapter 2, for regulations.